**South Carolina General Assembly**

126th Session, 2025-2026

**H. 4142**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Hart

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Introduced in the House on March 5, 2025

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Tort Claims Act, limits increased

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/5/2025 House Introduced and read first time (House Journal‑page 39)

 3/5/2025 House Referred to Committee on **Labor, Commerce and Industry** (House Journal‑page 39)

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=4142&session=126&summary=B)  at the website

**VERSIONS OF THIS BILL**

[03/05/2025](https://www.scstatehouse.gov/sess126_2025-2026/prever/4142_20250305.docx)

A bill

TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 15‑78‑120, RELATING TO LIMITATIONS ON LIABILITY, SO AS TO INCREASE THE LIMITS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15‑78‑120(a) of the S.C. Code is amended to read:

 (a) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

 (1) Except as provided in Section 15‑78‑120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding three hundred thousandone million dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

 (2) Except as provided in Section 15‑78‑120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed six hundred thousandtwo million dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

 (3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding onetwo million twofive hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

 (4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed onetwo million twofive hundred thousand dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

 (5) The provisions of Section 15‑78‑120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide.  After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

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