

Proposed Legislation SB 68 May Impact Injury Victims' Rights in Georgia

SB 68 Limits Victims' Rights, Strengthens Insurer Protections, Restricts Damage Claims, Delays Cases, and Raises Bar for Security Lawsuits

ATLANTA, GA, UNITED STATES, April 9, 2025 /EINPresswire.com/ -- Governor Brian Kemp's [recent push for Senate Bill 68 \(SB 68\)](#) raises concerns about the



rights of injured individuals across Georgia. This proposed legislation, under the guise of tort reform, aims to limit victims' ability to seek fair compensation, ultimately favouring insurance companies over everyday citizens.

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Matt Kahn

SB 68 introduces several alarming provisions that would drastically alter Georgia's civil justice system:

1) Restrictions on Non-Economic Damage Arguments: The bill prohibits attorneys from suggesting specific amounts

for non-economic damages, such as pain and suffering, until closing arguments. This unprecedented move would hinder a jury's ability to fully comprehend the extent of a victim's suffering, leading to inconsistent and unjust verdicts.

2) Delays in Legal Proceedings: SB 68 would create unnecessary delays in the legal process by allowing defendants to halt cases simply by filing motions, regardless of their merit. This tactic benefits insurance companies by postponing rightful payouts and pressuring victims to accept lower settlements.

3) Increased Difficulty in Refiling Cases: The proposed legislation makes it more challenging for plaintiffs to dismiss and refile cases, a right currently available under specific circumstances. This change disproportionately affects victims who may need to refile due to unforeseen complications, further tilting the scales in favour of defendants.

4) Forces Plaintiffs to Prove Seatbelt Use Where Defense raises the Issue: Previously, seatbelt non-use was inadmissible in court. SB 68 changes that, allowing insurance companies to reduce recoveries based on whether a victim was wearing a seatbelt—shifting blame from negligent drivers to victims.

5) Lowers Recoverable Medical Expenses: Defendants can now argue the "reasonable value" of

medical bills rather than actual charges, making it harder for plaintiffs to recover the full cost of their medical care.

6) Makes Negligent Security Cases Very Difficult to Prove: SB 68 requires victims to prove that property owners had a "particularised warning of imminent threats," which is very difficult in many cases. This incentivizes businesses and landlords to cut security costs, particularly in low-income areas.

7) Mandates Bifurcated Trials: Victims would be forced to testify twice, making the litigation process more burdensome and expensive.

Who Benefits from SB 68?

-Insurance Companies and Property Owners: The bill allows insurers to deny and delay claims more efficiently, and property owners have less incentive to invest in security measures.

-Out-of-State Investors: By reducing liability, landlords and business owners—especially corporate property owners—can cut costs without fear of legal repercussions.

-Legislators Supported by Insurance Industry Donations: Lawmakers who pushed SB 68 forward received heavy financial backing from insurance companies. They rejected amendments that could have protected consumers, such as capping insurance rate increases.

Impact on citizens of Georgia

-Non-Catastrophic Injury Victims: Whiplash, sprains, and herniation sufferers will struggle to get fair compensation.

-Negligent Security Cases: Property owners face less accountability for violent crimes on their premises.

-SB 68 Discourages Health Insurance Use: Victims may avoid insurance if they can't recover entire medical costs.

-More Delays & Uncertainty: A 90-day discovery stay prolongs cases, pressuring victims to settle for less.

"Victims must be cautious in choosing legal representation—an inexperienced attorney could ruin a case under these new restrictions. The legal community must develop creative strategies to minimise the damage caused by this law," says Matt Kahn, Personal Injury Attorney at Butler Kahn Law Firm.

About Matt

Matt Kahn is a top-rated personal injury lawyer and partner at Butler Kahn, one of Atlanta's leading law firms for wrongful death and catastrophic injury cases. Recognised for his results-driven approach and relentless advocacy, Matt represents individuals and families across Georgia who have suffered life-altering injuries or the loss of a loved one due to someone else's negligence. Since joining Butler Kahn in 2019, Matt has helped secure justice in high-stakes cases

involving car accidents, truck crashes, and complex wrongful death claims. In 2024, he was honoured as one of the Daily Report's "On the Rise" attorneys, highlighting him as one of the top lawyers under 40 in the Southeast. Known for his strategic litigation skills, compassion for clients, and courtroom success, Matt is a go-to choice for those seeking elite personal injury representation in Georgia. Learn more at <https://butlerfirm.com/our-team/matt-kahn/>

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