

Legislative Analysis



OPIOID LIABILITY LITIGATION

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 592 as enacted

Public Act 228 of 2023

Sponsor: Sen. Rosemary Bayer

House Committee: Judiciary

Senate Committee: Civil Rights, Judiciary, and Public Safety

Complete to 1-18-24

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

Senate Bill 592 amends the Opioid Liability Litigation Act¹ to prohibit a *political subdivision* of the state from commencing or maintaining an action (lawsuit) after January 1, 2022, that is related to the released claims in the following settlement agreements (which arise out of *In re Nat'l Prescription Opiate Litigation*²) against the released entities as defined in those agreements:³

- The master settlement agreement entered into by the state with Allergan Pharmaceuticals.
- The master settlement agreement entered into by the state with CVS Pharmacy.
- The master settlement agreement entered into by the state with Teva Pharmaceuticals.
- The master settlement agreement entered into by the state with Walgreens Pharmacy.
- The master settlement agreement entered into by the state with Walmart.

Political subdivision means a public body corporate in Michigan, an agency of a public body corporate in Michigan, a nonincorporated body in Michigan of whatever nature, or an agency of a nonincorporated body in Michigan. The term includes a county, city, village, township, school district, or special district or authority of the state, but does not include the state.

MCL 37.232

FISCAL IMPACT:

Senate Bill 592 would have an indeterminate fiscal impact on local court funding units. Provisions of the bill are aimed at limiting the number of lawsuits likely to be filed. Any fiscal impact would be directly related to how provisions of the bill affected court caseloads, the complexity of lawsuits, and related administrative costs.

Legislative Analyst: Rick Yuille
Fiscal Analyst: Robin Risko

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

¹ <https://www.legislature.mi.gov/documents/2021-2022/billanalysis/House/pdf/2021-HLA-0993-CD7AF455.pdf>

² <https://www.ohnd.uscourts.gov/mdl-2804>

³ See <https://www.michigan.gov/ag/initiatives/opioids> also <https://www.michigan.gov/ag/news/press-releases/2023/06/12/ag-nessel-announces-over-338-million-opioid-settlement-with-walgreens>