



February 26, 2026

The Honorable Carol Hagan McEntee, Chairwoman
House Judiciary Committee
State House
Providence, RI 02903

Re: H.7750, An Act Relating to Courts and Civil Procedure – Procedure Generally – Causes of Action

Dear Chairwoman McEntee,

The undersigned members of the Rhode Island Business Coalition oppose House bill 7750. This legislation would materially expand Rhode Island’s liability landscape by authorizing punitive damages in “any civil action” whenever a plaintiff presents evidence of “willful or wanton conduct” or “reckless disregard,” defining “willful or wanton” to include conduct the actor “knew or should have known was dangerous.”

This represents a dramatic departure from Rhode Island’s longstanding common-law approach, under which punitive damages are an extraordinary and disfavored remedy, generally reserved for conduct involving malice, bad faith, or misconduct amounting to criminality. Punitive damages are meant to serve as a rare and exceptional penalty. H7750 would instead make them an everyday litigation tactic. By replacing Rhode Island’s rigorous standard with something closer to a “should have known” threshold, the bill lowers the bar in a way that invites more claims, increases settlement pressure, and injects substantial uncertainty into civil litigation. For employers, particularly small and mid-sized businesses, that uncertainty translates directly into higher insurance costs, increased legal expenses, and greater difficulty planning investments and hiring.

This is fundamentally a competitiveness issue. Uncapped and unpredictable punitive exposure is precisely the kind of risk that influences where businesses choose to expand, invest, or locate. At a time when Rhode Island competes with neighboring states for capital and jobs, this bill would move our state in the opposite direction.

Notably, several states in the Northeast take a far more restrained approach to punitive damages. In Massachusetts, punitive damages are generally available only where authorized by statute, not as a broad common-law remedy. New Hampshire largely outlaws punitive damages unless specifically permitted by statute. Connecticut significantly limits common-law punitive damages, typically restricting them to litigation expenses and attorneys’ fees—effectively capping their scope.

The Rhode Island Business Coalition represents 50 industries and 6,280 businesses that employ 231,200 people throughout Rhode Island.

Even in states where punitive damages are permitted more broadly, meaningful guardrails are standard. Maine requires clear and convincing evidence of actual malice, imposing both a heightened evidentiary burden and a stringent mental-state requirement. New Jersey requires clear and convincing evidence, mandates bifurcated proceedings, and imposes a cap of five times compensatory damages or \$350,000 (with limited statutory exceptions). In New York and Pennsylvania, punitive damages are generally reserved for conduct that is egregious or outrageous in nature.

H7750 contains none of these structural guardrails. Instead, it would expose Rhode Island businesses to open-ended punitive liability under a comparatively low and ambiguous standard. That shift would increase litigation volume, raise liability insurance premiums, and create a legal environment that is less predictable and less competitive than our neighboring states.

We believe strongly in accountability for truly malicious or criminal conduct. However, punitive damages should remain a narrowly tailored, extraordinary remedy—not a routine feature of civil litigation.

For these reasons, we respectfully urge the Committee to reject H7750. We remain ready to work collaboratively on policies that protect consumers and promote fairness while maintaining a stable and competitive business climate in Rhode Island.

Sincerely,

East Greenwich Chamber of Commerce

Greater Newport Chamber of Commerce

Hospital Association of Rhode Island

National Federation of Independent Business

Northern Rhode Island Chamber of Commerce

David Chenevert, Chairman, Rhode Island Business Coalition

Rhode Island Builders Association

Rhode Island Hospitality Association

Rhode Island Lumber and Building Materials Dealers Association

Rhode Island Marine Trade Association

Rhode Island Small Business Economic Summit Regulations Subcommittee

Rhode Island Small Business Summit Tax and Budget Committee

Rhode Island Staffing Association

cc. House Judiciary Committee members