



March 29, 2021

House bill 21-1188, Concerning additional liability of a defendant who admits liability under Respondeat superior.

NFIB Colorado position:           OPPOSE

Corporate liability under Respondeat Superior generally requires three elements:

- (1) the agent of the corporation committed the crime
- (2) while acting within the **scope** of the agent's authority
- (3) with an **intent** to benefit the corporation.

Courts have uniformly upheld these provisions.

Hb 21-1188 attempts to remove a Court of proper jurisdiction's discretion in deciding if the employer is accountable for an employee's willful disregard of matters or safety, and/or training received.

NFIB Colorado respectfully requests you vote **NO** on this legislation, which reverses a decision of the Colorado Supreme Court.

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