

**Public Policy Position
HB 4582**

The Negligence Law Section is a voluntary membership section of the State Bar of Michigan, comprised of 1,630 members. The Negligence Law Section is not the State Bar of Michigan and the position expressed herein is that of the Negligence Law Section only and not the State Bar of Michigan. To date, the State Bar does not have a position on this item.

The Negligence Law Section has a public policy decision-making body with 12 members. On August 20, 2025, the Section adopted its position after an electronic discussion and vote. 11 members voted in favor of the Section's position, 0 members voted against this position, 0 members abstained, 1 member did not vote.

Oppose

Explanation:

The Negligence Section opposes the creation of an “open and obvious” standard for premises liability litigation because it creates a system that limits access to the courts for persons injured due to failure on the owner to maintain a safe and hazard free environment. Premises owners under current law may still argue for comparative negligence on the part of the plaintiff to limit their liability.

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