



ICYMI: MI Lands on National “Legislative Limbo” List, Citing Inaction on Restoring Property Protections

Lansing, MICH (July 28, 2026) – The American Tort Reform Association has deemed Michigan as [one of four states in the nation](#) in “legislative limbo,” citing stalled movement on legislation that would restore Michigan’s missing “open and obvious” premises liability protection.

Michigan’s longstanding doctrine provided property owners with legal protection against hazards deemed obvious and apparent to the average person, such as a patch of ice or a puddle of water. The doctrine was overturned by Michigan’s State Supreme Court in 2023, making Michigan one of only 9 states in the nation without this common-sense protection and a national hotspot for frivolous slip and fall lawsuits.

“If you are noticing an increase in property insurance rates and more slip and fall billboards along our highways, our missing open and obvious doctrine is a major contributor,” **said Zach Rudat, Director of the Michigan Alliance for Legal Reform.** “Michigan is a national hotspot for frivolous slip and fall lawsuits without open and obvious, a protection that 41 states across the political spectrum already have in place. Restoring this common-sense legal protection will help make housing more affordable in Michigan, and help lower costs for families and job providers alike.”

[ATRA’s Michigan report](#) cites this missing legal protection as a contributor to Michigan’s growing “tort tax,” a metric used to consolidate and identify the hidden day-to-day expenses Michiganders encounter due to lawsuit abuse. The study identifies **a \$1,148 annual tort tax per person** in Michigan, the equivalent of 3 months of groceries for a family of four. [HB 4582](#), which seeks to restore this protection, passed the State House in March and awaits further action by the State Senate.

The Michigan Alliance for Legal Reform is a coalition of 45 Michigan associations and employers dedicated to reining in lawsuit abuse and restoring balance and fairness in Michigan’s legal system. Learn more at MIAllianceForLegalReform.com. You can also read ATRA’s press release announcing this report [at this link](#).

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