

# Mogy Law Tennessee Responds to HB 5 Defeat with Educational Guidance for Memphis Personal Injury Victims

*March 04, 2026*

MEMPHIS, TN - March 04, 2026 -
Mogy Law Tennessee has released educational guidance for Memphis residents following the defeat of Tennessee House Bill 5, which would have doubled the state's cap on non-economic damages in personal injury cases. The proposed legislation, introduced by State Representative Gino Bulso during the 2025 legislative session, failed to pass after opposition from business groups including the National Federation of Independent Business.

The defeat of HB 5 means Tennessee's non-economic damages cap remains at $750,000 for standard personal injury cases and $1,000,000 for catastrophic injury cases, unchanged since the Tennessee Civil Justice Act of 2011. Non-economic damages include compensation for pain and suffering, emotional distress, and loss of consortium. The Memphis personal injury lawyer firm is providing resources to help injury victims understand how these restrictions affect their potential recovery.

Under the current framework, Tennessee maintains one of the more restrictive damages structures in the Southeast. While non-economic damages face strict caps, economic damages including medical expenses, lost wages, and future care costs remain uncapped under state law. The firm notes that certain exceptions to the cap exist, including cases involving intentional harm, intoxicated defendants, felony conduct, or evidence destruction by the defendant.

"The defeat of this legislation means Memphis injury victims must work strategically within the existing legal framework to maximize their recovery," said Eric Mogy, Personal Injury Attorney at Mogy Law TN Memphis personal injury lawyer. "While non-economic damages remain capped, thorough documentation of medical costs, lost wages, and future expenses becomes even more critical since economic damages have no statutory limit. Understanding these distinctions can significantly impact the total value of a personal injury claim."

Had HB 5 passed, the standard cap would have increased from $750,000 to $1,500,000, and the catastrophic injury cap would have doubled from $1,000,000 to $2,000,000. These changes would have applied to claims arising on or after July 1, 2025. The bill initially gained bipartisan support in the Tennessee General Assembly before ultimately failing.

The educational guidance addresses common misconceptions about damage calculations and provides clarity on what injury victims can realistically expect when pursuing claims. The firm emphasizes the importance of understanding both the limitations and opportunities within Tennessee's current legal structure, particularly for those dealing with serious injuries that may exceed the non-economic damages threshold.

Mogy Law Tennessee, founded by Eric Mogy, operates from offices in Memphis and Nashville. The firm specializes in personal injury and criminal defense cases throughout Tennessee. Operating on a contingency fee basis of 25 percent, below the industry standard of 33 to 40 percent, the firm provides bilingual services with Spanish-speaking staff available. The practice has served Tennessee residents for over ten years, handling cases involving car accidents, truck accidents, slip and fall incidents, and other personal injury matters.

###

For more information about Mogy Law Tennessee, contact the company here:Mogy Law TennesseeEric Mogy(901) 673-7540leads@mogylawtn.com200 Jefferson Ave,Suite 811Memphis, TN 38103

**Mogy Law Tennessee**

*Mogy Law Firm offers expert personal injury and criminal defense representation in Tennessee, prioritizing clients with lower fees and dedicated advocacy for the best outcomes.*

Website: https://mogylawtn.com/

Email: leads@mogylawtn.com

Phone: (901) 673-7540

