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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Stuart Bishop and Garofalo to Engrossed House Bill No. 917 by Representative Garofalo

1 AMENDMENT NO. 1

2 On page 1, line 2, after "Article" and before the comma "," change "1732" to "1732(1)"

3 AMENDMENT NO. 2

4 On page 1, delete lines 3 and 4 in their entirety and insert "trials; to provide for a graduated
5 reduction in the cause of action threshold amount required to be entitled to a jury"

6 AMENDMENT NO. 3

7 On page 1, line 6, after "Article" and before the comma "," change "1732" to "1732(1)"

8 AMENDMENT NO. 4

9 On page 1, delete lines 10 through 19 in their entirety and insert the following:

10 "1)(a) A suit where the amount of no individual petitioner's cause
11 of action exceeds ~~fifty thousand dollars~~ the amount set forth in
12 Subsubparagraph (b) of this Subparagraph, exclusive of interest and costs,
13 except as follows:

14 ~~(a)~~ (i) If an individual petitioner stipulates or otherwise judicially
15 admits sixty days or more prior to trial that the amount of the individual
16 petitioner's cause of action does not exceed ~~fifty thousand dollars~~ the amount
17 set forth in Subsubparagraph (b) of this Subparagraph, exclusive of interest
18 and costs, a defendant shall not be entitled to a trial by jury.

19 ~~(b)~~ (ii) If an individual petitioner stipulates or otherwise judicially
20 admits for the first time less than sixty days prior to trial that the amount of
21 the individual petitioner's cause of action does not exceed ~~fifty thousand~~
22 ~~dollars~~ the amount set forth in Subsubparagraph (b) of this Subparagraph,
23 exclusive of interest and costs, any other party may retain the right to a trial
24 by jury if that party is entitled to a trial by jury pursuant to this Article and
25 has otherwise complied with the procedural requirements for obtaining a trial
26 by jury.

27 ~~(c)~~(iii) Notwithstanding Subsubparagraphs (a) and (b) of this
28 Subparagraph, if, as a result of a compromise or dismissal of one or more
29 claims or parties which occurs less than sixty days prior to trial, an individual
30 petitioner stipulates or otherwise judicially admits that the amount of the
31 individual petitioner's cause of action does not exceed ~~fifty thousand dollars~~
32 the amount set forth in Subsubparagraph (b) of this Subparagraph, exclusive
33 of interest and costs, a defendant shall not be entitled to a trial by jury.

34 (b)(i) For suits filed on or after January 1, 2015 through December
35 31, 2015, a suit where no individual petitioner's cause of action exceeds forty
36 thousand dollars.

37 (ii) For suits filed on or after January 1, 2016 through December 31,
38 2016, a suit where no individual petitioner's cause of action exceeds thirty
39 thousand dollars.

1 (iii) For suits filed on or after January 1, 2017 through December 31,
2 2017, a suit where no individual petitioner's cause of action exceeds twenty
3 thousand dollars.

4 (iv) For suits filed on or after January 1, 2018, a suit where no
5 individual petitioner's cause of action exceeds ten thousand dollars.

6 * * *"

7 AMENDMENT NO. 5

8 On page 2, delete lines 1 through 19 in their entirety and insert the following:

9 "Section 2. The provisions of this Act shall become effective on January 1,
10 2015."