

Session 115 - (2003-2004)

H 3166 General Bill, By Kirsh

Summary: Punitive damages in civil actions, standards procedures established; burden of proof

A BILL TO AMEND TITLE 15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CIVIL REMEDIES AND PROCEDURES, BY ADDING CHAPTER 34 SO AS TO ESTABLISH STANDARDS AND PROCEDURES FOR THE RECOVERY OF PUNITIVE DAMAGES IN CIVIL ACTIONS, INCLUDING A LIMIT ON THE MAXIMUM AMOUNT OF PUNITIVE DAMAGES WHICH MAY BE AWARDED, THE MANNER IN WHICH PUNITIVE DAMAGES MUST BE STATED AND PLED, THE RESPONSIBILITIES OF THE TRIER OF FACT AND THE COURT WITH REGARD TO PUNITIVE DAMAGES, AND THE AWARDED OF ATTORNEY'S FEES IN FRIVOLOUS OR MALICIOUS PUNITIVE DAMAGE CLAIMS; AND TO REPEAL SECTION 15-33-135 RELATING TO PUNITIVE DAMAGES AND THE BURDEN OF PROOF.

12/04/02 House Prefiled

12/04/02 House Referred to Committee on Judiciary

01/14/03 House Introduced and read first time HJ-68

01/14/03 House Referred to Committee on Judiciary HJ-69