

Session 112 - (1997-1998)

H 4738 General Bill, By Barrett, Allison, Bailey, Barfield, Battle, Bauer, Boan, H. Brown, Cato, Chellis, Cooper, Cotty, Dantzler, Edge, Hamilton, Harrell, Hinson, B.L. Jordan, Keegan, Kirsh, Knotts, Koon, Lanford, Law, Leach, Limehouse, Littlejohn, Loftis, Martin, Mason, McCraw, McKay, J.D. McMaster, Miller, V.T. Mullen, Phillips, Quinn, Rice, Meacham, Riser, Robinson, Rodgers, Sandifer, Sharpe, Simrill, R. Smith, Spearman, Stille, E.C. Stoddard, Stuart, Townsend, Tripp, Trotter, Walker, Webb, Witherspoon, Woodrum and Young-Brickell

A BILL TO AMEND SECTION 15-36-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATTORNEY'S FEES AND COSTS OF FRIVOLOUS SUITS, SO AS TO FURTHER PROVIDE FOR LIABILITY FOR ATTORNEY'S FEES AND COSTS OF FRIVOLOUS SUITS; TO AMEND SECTION 15-36-20, RELATING TO FINDINGS OF A PROPER PURPOSE FOR ACTION, SO AS TO PROVIDE WHEN A PROPER PURPOSE MAY NOT BE FOUND; TO AMEND SECTION 15-36-40, RELATING TO AN AGGRIEVED PERSON'S BURDEN OF PROOF AFTER A FRIVOLOUS SUIT, SO AS TO PROVIDE WHEN THE BURDEN OF PROOF HAS BEEN MET; AND TO AMEND SECTION 15-37-20, RELATING TO COSTS ALLOWED TO A SUCCESSFUL PARTY, SO AS TO PROVIDE THAT ANY PERSON BRINGING OR DEFENDING A CIVIL ACTION IN THE COURT OF COMMON PLEAS MUST PAY THE ATTORNEY'S FEES AND COSTS OF THE PREVAILING PARTY.

02/26/98 House Introduced and read first time HJ-66
02/26/98 House Referred to Committee on Judiciary HJ-67