

Session 112 - (1997-1998)

H 4250 General Bill, By F. Smith

A BILL TO AMEND SECTION 15-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONTRIBUTORY NEGLIGENCE NOT BARRING RECOVERY IN MOTOR VEHICLE ACCIDENTS, SO AS TO PROVIDE THAT CONTRIBUTORY NEGLIGENCE SHALL NOT BAR RECOVERY IN ANY ACTION BY ANY PERSON OR LEGAL REPRESENTATIVE TO RECOVER DAMAGES FOR NEGLIGENCE RESULTING IN DEATH OR IN INJURY TO PERSON OR PROPERTY, IF SUCH CONTRIBUTORY NEGLIGENCE WAS EQUAL TO OR LESS THAN THE NEGLIGENCE THAT MUST BE ESTABLISHED IN ORDER TO RECOVER FROM THE PARTY AGAINST WHOM RECOVERY IS SOUGHT, TO PROVIDE WHEN A PLAINTIFF IN A NEGLIGENCE ACTION MAY RECOVER, TO PROVIDE THAT PLAINTIFF'S RECOVERY SHALL BE REDUCED IN PROPORTION TO THE AMOUNT OF HIS NEGLIGENCE, AND THAT THE PLAINTIFF'S NEGLIGENCE SHALL BE COMPARED TO THE COMBINED NEGLIGENCE OF ALL DEFENDANTS.

05/29/97 House Introduced and read first time HJ-25

05/29/97 House Referred to Committee on Judiciary HJ-25