

Session 115 - (2003-2004)

H 4126 General Bill, By Whipper, Weeks, J.H. Neal, Breeland, R.L. Brown, Cobb-Hunter, J. Hines, M. Hines, Lloyd and Rivers

Summary: Tort Claims Act revisions

A BILL TO AMEND SECTION 15-78-100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA TORT CLAIMS ACT AND WHEN AND WHERE TO COMMENCE AN ACTION, SO AS TO PROVIDE THAT CERTAIN CAUSES OF ACTION MUST BE FILED IN MAGISTRATE'S COURT; TO AMEND SECTION 15-78-120, AS AMENDED, RELATING TO LIMITATIONS ON LIABILITY, THE PROHIBITION AGAINST THE RECOVERY OF PUNITIVE OR EXEMPLARY DAMAGES OR PREJUDGMENT INTEREST, AND AN ATTORNEY'S SIGNATURE ON PLEADINGS, MOTIONS, OR OTHER PAPERS, SO AS TO PROVIDE THAT A STATE AGENCY OR POLITICAL SUBDIVISION MAY BE REPRESENTED BY A REPRESENTATIVE OF ITS INSURANCE CARRIER, DEPARTMENT MANAGER, STAFF PERSON, OR ANOTHER OFFICIAL IN CERTAIN ACTIONS; AND TO AMEND SECTION 22-3-20, RELATING TO CIVIL ACTIONS IN WHICH A MAGISTRATE DOES NOT HAVE JURISDICTION TO PROVIDE AN EXCEPTION THAT A MAGISTRATE HAS JURISDICTION IN AN ACTION WHERE THE STATE IS A PARTY AND THE CLAIM FOR DAMAGES IS FOR SEVEN THOUSAND FIVE HUNDRED DOLLARS OR LESS.

04/30/03 House Introduced and read first time HJ-100

04/30/03 House Referred to Committee on Judiciary HJ-101