

Session 116 - (2005-2006)

S 0971 General Bill, By Martin

Summary: Notice of appeal on the execution of a judgment

A BILL TO AMEND SECTION 18-9-130 OF THE 1976 CODE, RELATING TO THE EFFECT OF A NOTICE OF APPEAL ON THE EXECUTION OF A JUDGMENT, TO PROVIDE THAT A NOTICE OF APPEAL OF A MONEY JUDGMENT IN A CIVIL ACTION STAYS THE ENFORCEMENT OF THE JUDGMENT AGAINST THE APPELLANT WITHOUT THE NECESSITY OF A BOND EXCEPT UPON MOTION OF THE RESPONDENT, TO ESTABLISH LIMITS ON THE AMOUNT OF AN APPEAL BOND, TO PROVIDE PROTECTION AGAINST AN APPEAL BOND CAUSING SUBSTANTIAL ECONOMIC HARM TO AN APPELLANT, TO ALLOW A COURT TO ADJUST THE AMOUNT OF AN APPEAL BOND IF THE APPELLANT IS DISSIPATING OR SECRETING HIS ASSETS OR DIVERTING HIS ASSETS OUTSIDE THE ORDINARY COURSE OF BUSINESS TO AVOID PAYMENT OF THE JUDGMENT, AND TO PROTECT THE APPELLANT FROM THE PUBLIC DISCLOSURE OF TRADE SECRETS OR SIMILAR INFORMATION WHEN THE COURT IS DETERMINING THE APPELLANT'S NET WORTH IF THE APPELLANT BELIEVES IN GOOD FAITH THAT DISCLOSURE WOULD BE DAMAGING TO THE APPELLANT'S BUSINESS.

12/13/05 Senate Prefiled

12/13/05 Senate Referred to Committee on Judiciary

01/10/06 Senate Introduced and read first time SJ-20

01/10/06 Senate Referred to Committee on Judiciary SJ-20

01/18/06 Senate Referred to Subcommittee: Moore (ch), Ford, Mescher, Rankin, Scott