

## Session 119 - (2011-2012)

**H\*3375 (Rat #0086, Act #0052 of 2011) General Bill, By Harrell, Lucas, Cooper, Hardwick, Harrison, Owens, Sandifer, White, Bingham, Atwater, Parker, Crawford, Loftis, Bowen, G.R. Smith, Bedingfield, Toole, Sottile, V.S. Moss, Forrester, Bikas, Huggins, Brady, Allison, Pinson, Frye, Whitmire, Skelton, Nanney, Henderson, Limehouse, Corbin, Barfield, Battle, Clemmons, Cole, Crosby, Daning, Gambrell, Hamilton, Hiott, Hixon, Horne, Lowe, D.C. Moss, Murphy, Norman, Patrick, Simrill, G.M. Smith, J.R. Smith, Spires, Taylor, Willis, Young, Herbkersman, Ballentine, Thayer, Bannister, McCoy, Tallon, Stringer, Long, Hayes, Ott, J.M. Neal, Vick, G.A. Brown, Branham, Anthony, Bowers, Sellers, Quinn, Hearn, Edge, Anderson, Erickson, Knight, Chumley, Butler Garrick and Bales**

**Similar (S 0022, S 0023)**

**Summary:** S.C. Fairness in Civil Justice Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA FAIRNESS IN CIVIL JUSTICE ACT OF 2011" BY ADDING ARTICLE 5, CHAPTER 32 TO TITLE 15 SO AS TO PROVIDE LIMITS ON THE AWARD OF PUNITIVE DAMAGES AND TO PROVIDE FOR CERTAIN PROCEDURES AND REQUIREMENTS RELATING TO THE AWARD OF THESE DAMAGES; BY ADDING SECTION 1-7-750 SO AS TO AUTHORIZE CIRCUIT SOLICITORS TO EMPLOY OUTSIDE COUNSEL UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-77-250 SO AS TO REQUIRE EVERY INSURER PROVIDING AUTOMOBILE INSURANCE COVERAGE IN THE STATE TO PROVIDE CERTAIN INSURANCE COVERAGE INFORMATION WHEN A WRITTEN REQUEST IS MADE BY A CLAIMANT'S ATTORNEY AND TO AUTHORIZE SANCTIONS BY THE COURT FOR NONCOMPLIANCE; TO AMEND SECTION 15-3-670, RELATING TO LIMITATIONS ON ACTIONS BASED ON UNSAFE OR DEFECTIVE IMPROVEMENTS TO REAL PROPERTY, SO AS TO PROVIDE THAT THE VIOLATION OF A BUILDING CODE DOES NOT CONSTITUTE PER SE FRAUD, GROSS NEGLIGENCE, OR RECKLESSNESS BUT MAY BE ADMISSIBLE AS EVIDENCE; AND TO AMEND SECTION 18-9-130, AS AMENDED, RELATING TO THE EFFECT OF A NOTICE OF APPEAL ON THE EXECUTION OF JUDGMENT, SO AS TO PROVIDE LIMITS FOR APPEAL BONDS. - ratified title

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| 01/19/11 | House  | Introduced and read first time (House Journal-page 12)  |
| 01/19/11 | House  | Referred to Committee on Judiciary (House Journal-page 12)  |
| 01/20/11 | House  | Member(s) request name added as sponsor: Herbkersman  |
| 01/25/11 | House  | Member(s) request name added as sponsor: Ballentine, Thayer, Bannister                            |
| 01/26/11 | House  | Member(s) request name added as sponsor: McCoy, Tallon, Stringer, Long, Hayes                     |
| 01/27/11 | House  | Member(s) request name added as sponsor: Ott, J.M.Neal, Vick, G.A.Brown, Branham, Anthony, Bowers |
| 02/01/11 | House  | Member(s) request name added as sponsor: Sellers  |
| 02/02/11 | House  | Member(s) request name added as sponsor: Quinn, Hearn   |
| 02/02/11 | House  | Committee report: Favorable Judiciary (House Journal-page 5)                                      |
| 02/03/11 | House  | Member(s) request name added as sponsor: Edge, Anderson   |
| 02/04/11 |        | Scrivener's error corrected   |
| 02/08/11 | House  | Member(s) request name added as sponsor: Erickson, Knight, Chumley, Butler Garrick                |
| 02/08/11 | House  | Debate adjourned until Wednesday, February 9, 2011 (House Journal-page 77)                        |
| 02/09/11 | House  | Member(s) request name added as sponsor: Bales  |
| 02/09/11 | House  | Read second time (House Journal-page 24)  |
| 02/09/11 | House  | Roll call Yeas-100 Nays-7 (House Journal-page 24)   |
| 02/10/11 | House  | Read third time and sent to Senate (House Journal-page 16)  |
| 02/10/11 | House  | Roll call Yeas-100 Nays-11 (House Journal-page 16)  |
| 02/15/11 | Senate | Introduced and read first time (Senate Journal-page 10)   |
| 02/15/11 | Senate | Referred to Committee on Judiciary (Senate Journal-page 10)                                       |
| 02/23/11 | Senate | Committee report: Favorable with amendment Judiciary (Senate Journal-page 30)                     |
| 02/24/11 |        | Scrivener's error corrected   |
| 03/02/11 |        | Scrivener's error corrected   |
| 03/15/11 | Senate | Special order, set for March 15, 2011 (Senate Journal-page 19)                                    |
| 03/31/11 | Senate | Debate interrupted (Senate Journal-page 31)   |
| 04/05/11 | Senate | Debate interrupted (Senate Journal-page 31)   |
| 04/06/11 | Senate | Debate interrupted (Senate Journal-page 21)   |
| 04/07/11 | Senate | Debate interrupted (Senate Journal-page 40)   |
| 05/11/11 | Senate | Debate interrupted (Senate Journal-page 52)   |

05/31/11 Senate Committee Amendment Amended and Adopted (Senate Journal-page 41)  
05/31/11 Senate Read second time (Senate Journal-page 41)  
05/31/11 Senate Roll call Ayes-39 Nays-0 (Senate Journal-page 41)  
05/31/11 Senate Debate interrupted (Senate Journal-page 41)  
06/01/11 Scrivener's error corrected  
06/01/11 Senate Read third time and returned to House with amendments (Senate Journal-page 178)  
06/02/11 House Concurred in Senate amendment and enrolled (House Journal-page 54)  
06/02/11 House Roll call Yeas-99 Nays-16 (House Journal-page 54)  
06/08/11 Ratified R 86  
06/14/11 Signed By Governor  
06/20/11 Effective date See Act for Effective Date  
06/20/11 Act No. 52