

Session 116 - (2005-2006)

H 3775 General Bill, By Harrison, Wilkins, Cato, W.D. Smith, Merrill and Ott

Summary: Joint and several liability

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15-38-15 SO AS TO PROVIDE IN AN ACTION TO RECOVER DAMAGES RESULTING FROM PERSONAL INJURY, WRONGFUL DEATH, DAMAGE TO PROPERTY, OR TO RECOVER DAMAGES FOR ECONOMIC LOSS OR NONECONOMIC LOSS, JOINT AND SEVERAL LIABILITY DOES NOT APPLY TO A DEFENDANT WHO IS LESS THAN FIFTY PERCENT AT FAULT; TO PROVIDE FOR APPORTIONMENT OF PERCENTAGES OF FAULT AMONG DEFENDANTS; AND TO PROVIDE THAT THE PROVISIONS OF THIS SECTION DO NOT APPLY TO A DEFENDANT WHOSE CONDUCT IS WILFUL, WANTON, RECKLESS, GROSSLY NEGLIGENT, INTENTIONAL, OR CONDUCT INVOLVING THE ILLEGAL OR ILLICIT USE, SALE, OR POSSESSION OF ALCOHOL OR DRUGS.

03/15/05 House Introduced and read first time HJ-105

03/15/05 House Referred to Committee on Judiciary HJ-105