

Session 116 - (2005-2006)

S 0081 General Bill, By McConnell, Moore, Campsen, Ryberg, Elliott, Bryant, Alexander, Leatherman and Richardson

Summary: Tort Reform Act of 2005 Relating to General Issues

A BILL TO ENACT THE "TORT REFORM ACT OF 2005 RELATING TO GENERAL ISSUES" BY AMENDING TITLE 15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CIVIL REMEDIES AND PROCEDURES, BY ADDING ARTICLE 1, CHAPTER 32, SO AS TO ESTABLISH PROCEDURES GOVERNING THE AWARD OF PUNITIVE DAMAGES; TO AMEND SECTION 15-36-10, RELATING TO FRIVOLOUS CIVIL PROCEEDINGS, SO AS TO ADOPT THE REASONABLE ATTORNEY STANDARD FOR CIVIL FILINGS BY ALL LITIGANTS; TO AMEND SECTION 34-31-20, RELATING TO POSTJUDGMENT INTEREST, SO AS TO PROVIDE THAT POSTJUDGMENT INTEREST SHALL ACCRUE AT THE PRIME RATE PLUS FOUR PERCENT; TO AMEND CHAPTER 38, TITLE 15, RELATING TO CIVIL REMEDIES AND PROCEDURES, BY ADDING 15-38-15, SO AS TO ABOLISH JOINT AND SEVERAL LIABILITY IN CERTAIN CASES AND TO ESTABLISH PROCEDURES FOR ALLOCATING FAULT AMONG DEFENDANTS; AND TO REPEAL SECTIONS 15-36-20, 15-36-30, 15-36-40, AND 15-36-50, ALL RELATING TO FRIVOLOUS CIVIL PROCEEDINGS.

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