

Bill No. CS for CS for CS for SB 1202

Amendment No. Barcode 481674

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Smith moved the following amendment:

Senate Amendment (with title amendment)

On page 32, between lines 17 and 18, and
On page 108, between lines 27 and 28,

insert:

(e) In any case in which the findings of fact support an award of punitive damages pursuant to paragraph (b) or paragraph (c), the clerk of the court shall refer the case to the appropriate law enforcement agencies, to the state attorney in the circuit where the long-term care facility that is the subject of the underlying civil cause of action is located, and, for multijurisdictional facility owners, to the Office of the Statewide Prosecutor; and such agencies, state attorney, or Office of the Statewide Prosecutor shall initiate a criminal investigation into the conduct giving rise to the award of punitive damages. All findings by the trier of fact which support an award of punitive damages under this paragraph shall be admissible as evidence in any subsequent civil or criminal proceeding relating to the acts giving rise

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1 to the award of punitive damages under this paragraph.

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4 ===== T I T L E A M E N D M E N T =====

5 And the title is amended as follows:

6 On page 3, line 6, after the semicolon, and

7 On page 8, line 31, after the semicolon,

8

9 insert:

10 providing for a criminal investigation with a
11 finding of liability for punitive damages under
12 certain circumstances; providing for the
13 admissibility of findings in subsequent civil
14 and criminal actions;

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