

Bill No. SJR 1918

Barcode 272794

CHAMBER ACTION

Senate

House

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

Comm: RCS  
04/20/2006 03:41 PM

.  
. .  
. .  
. .  
. .  
. .

The Committee on Judiciary (Clary) recommended the following  
**amendment to amendment** (773348):

**Senate Amendment (with title amendment)**

On page 9, line 29, through  
page 10, line 12, delete those lines

and insert:

~~SECTION 26. Claimant's right to fair compensation.~~

~~(a) Article I, Section 26 is created to read~~

~~"Claimant's right to fair compensation." In any medical  
liability claim involving a contingency fee, the claimant is  
entitled to receive no less than 70% of the first \$250,000.00  
in all damages received by the claimant, exclusive of  
reasonable and customary costs, whether received by judgment,  
settlement, or otherwise, and regardless of the number of  
defendants. The claimant is entitled to 90% of all damages in  
excess of \$250,000.00, exclusive of reasonable and customary  
costs and regardless of the number of defendants. This  
provision is self-executing and does not require implementing  
legislation.~~

Bill No. SJR 1918

Barcode 272794

1       ~~(b) This Amendment shall take effect on the day~~  
2 ~~following approval by the voters.~~

3  
4

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

6 And the title is amended as follows:

7           On page 151, line 18, after the semicolon,

8

9 insert:

10           to repeal Section 26 of Article I, which  
11           specifies the amount of damage that a claimant  
12           may receive in a medical liability claim  
13           involving a contingency fee;

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31