



506090

LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

03/15/2011 10:50 AM

Senator Simmons moved the following:

Senate Amendment (with title amendment)

Delete lines 73 - 77

and insert:

received by a claimant in an accident were enhanced by a
defective product, the trier of fact shall consider the fault of
all persons who contributed to the accident when apportioning
fault between or among them. The jury shall be appropriately
instructed by the trial judge on the apportionment of fault in
products liability actions where there are allegations that the
injuries received by the claimant in an accident were enhanced
by a defective product. The rules of evidence apply to these
actions.



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

And the title is amended as follows:

Delete lines 7 - 8

and insert:

in a products liability action alleging an enhanced
injury; requiring the jury instructions to apportion
certain fault in a products liability action;
providing the rules of evidence apply; providing
legislative intent to