

Exhibit No. 11  
Date 2-8-05  
Bill No. SB 21

Amendments to Senate Bill No. 21  
1st Reading Copy

Requested by Senator Duane Grimes

For the Senate Judiciary Committee

Prepared by John MacMaster  
February 4, 2005 (3:30pm)

1. Page 1, line 23 through line 25.

**Strike:** subsection (3) in its entirety

**Insert:** "(3) (a) If the evidence establishes that the chance of recovering prior to the negligent act or omission was more likely than not, the damages awarded must be 100% of the damages determined under subsection (2).

(b) If the evidence establishes that the chance of recovering prior to the negligent act or omission was not more likely than not, the damages awarded must be the difference between the chance of recovering prior to the negligent act or omission and the chance of recovering after the negligent act or omission multiplied by the total damages determined under subsection (2)."

- END -