

Amendments to Senate Bill No. 21
1st Reading Copy

Requested by Senator Duane Grimes

For the Senate Judiciary Committee

Prepared by John MacMaster
February 8, 2005 (1:43pm)

1. Title, page 1, line 6.

Following: "AN"

Insert: "EFFECTIVE DATE AND AN"

2. 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)."

3. Page 1, line 26.

Insert: "NEW SECTION. Section 2. {standard} Effective date. [This act] is effective July 1, 2005."

Renumber: subsequent section

4. Page 1, line 27.

Strike: "malpractice claims that arise"

Insert: "causes of action that arise on or"

- END -