

Amendments to Senate Bill No. 344
1st Reading Copy

Requested by Senator Jon Ellingson

For the Senate Judiciary Committee

Prepared by Valencia Lane
February 9, 2005 (3:47pm)

1. Page 1, line 24.

Following: "(3)"

Strike: "An"

Insert: "(a) Except as provided in subsection (3)(b), an"

2. Page 1, line 26.

Strike: "This subsection"

Insert: "(b) The limitation on awards of punitive damages provided for in subsection (3)(a)"

3. Page 1, line 27.

Following: "wrongdoing."

Insert: "The exemption from punitive damages limitation provided for in this subsection (3)(b) does not apply to a person who may be held liable for damages only because the person is responsible for the acts of another person. This subsection (3)(b) may not, under any theory of vicarious liability, including the doctrine of respondeat superior, allow an award of punitive damages in excess of the punitive damages limitation provided for in subsection (3)(a) against any person whose liability depends upon the culpability of another person who was the wrongdoer."

- END -