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HOUSE FLOOR AMENDMENTS

2023 Regular Session

Amendments proposed by Representative Stefanski to Engrossed House Bill No. 586 by Representative Stefanski

1 AMENDMENT NO. 1

2 On page 1, line 4, after "fees," and before "court" insert "expert witness fees and expenses,"

3 AMENDMENT NO. 2

4 On page 1, line 11, after "Any" and before "or foreign" delete "person" and insert "entity"

5 AMENDMENT NO. 3

6 On page 1, line 13, after "death" and before "resulting" insert "to all persons beginning
7 January 1, 2015,"

8 AMENDMENT NO. 4

9 On page 1, line 14, after "the" and before "or foreign" delete "person" and insert "entity"

10 AMENDMENT NO. 5

11 On page 1, line 15, after "activity" delete the remainder of the line and delete line 16 in its
12 entirety and insert a comma "," and insert the following:

13 "having a substantial contact with the United States and with the state at the
14 time of the ingestion resulting in the injury or death or at a time bearing a rational
15 nexus to ingestion."

16 AMENDMENT NO. 6

17 On page 1, line 18, after "exemplary damages," and before "court" insert "expert witness
18 fees and expenses,"

19 AMENDMENT NO. 7

20 On page 2, at the end of line 10, delete "a foreign state or person" and insert "an entity or
21 foreign state, or of the nexus of that trafficking or related commercial activity to the United
22 States or this state

23 AMENDMENT NO. "8

24 On page 2, line 11, after "plaintiff" and before "to" insert "to establish such commercial
25 activity or nexus"

26 AMENDMENT NO. 9

27 On page 2, at the end of line 11, after "proof" delete "for" and insert "in relation thereto for"

1 AMENDMENT NO. 10

2 On page 2, line 17, after "against" and before "for" delete "a person" and insert "an entity
3 or foreign state"

4 AMENDMENT NO. 11

5 On page 2, line 22, after "activity" and before "any" delete "shall mean" and insert "means"

6 AMENDMENT NO. 12

7 On page 2, line 25, after "activity" and before "the" change "shall mean" to "means"

8 AMENDMENT NO. 13

9 On page 2, between lines 26 and 27, insert the following:

10 "(2) "Entity" means a natural or juridical person and includes any association or
11 entity, including any drug cartel or transnational criminal organization."

12 AMENDMENT NO. 14

13 On page 2, at the beginning of line 27, delete "(2) "Foreign state" shall mean" and insert "(3)
14 "Foreign state" means"

15 AMENDMENT NO. 15

16 On page 2, at the beginning of line 28, change "(3)" to "(4)"

17 AMENDMENT NO. 16

18 On page 3, at the beginning of line 10, change "(4)" to "(5)"

19 AMENDMENT NO. 17

20 On page 3, delete lines 12 and 13 in their entirety

21 AMENDMENT NO. 18

22 On page 3, line 23, after "other" and before "to" delete "person" and insert "entity or foreign
23 state"

24 AMENDMENT NO. 19

25 On page 4, delete lines 1 through 4 in their entirety and insert the following:

26 "Section 2. The purpose of this Act is to provide a civil remedy for damages with
27 the broadest possible basis consistent with the Constitution of the United States to
28 persons suffering serious bodily injury or death through the unintended ingestion of
29 illicit fentanyl, and this Act is specifically intended to hold accountable any entity
30 or foreign state engaging in or facilitating illicit fentanyl trafficking or its related
31 commercial activity by creating a presumption of fault of such entity or foreign state
32 if engaging in or facilitating illicit fentanyl trafficking or its related commercial
33 activity having a substantial contact with this state at the time of the ingestion
34 resulting in the injury or death or at a time bearing a rational nexus to the ingestion,
35 if supported by credible information or statistical data pertaining thereto, in
36 accordance with this Act, or other evidence satisfactory to the court in an action
37 brought pursuant to this Act."