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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jay Morris to Engrossed House Bill No. 917 by Representative Garofalo

AMENDMENT NO. 1

On page 1, line 2, after "Article" and before the comma "," change "1732" to "1732(1)"

AMENDMENT NO. 2

On page 1, delete lines 3 and 4 in their entirety and insert "trials; to require an individual petitioner's cause of action to exceed thirty five thousand dollars to be entitled to a jury"

AMENDMENT NO. 3

On page 1, line 6, after "Article" and before the comma "," change "1732" to "1732(1)"

AMENDMENT NO. 4

On page 1, delete lines 10 through 19 in their entirety and insert the following:

"(1) A suit where the amount of no individual petitioner's cause of action exceeds ~~fifty thousand dollars~~ thirty five thousand dollars exclusive of interest and costs, except as follows:

(a) If an individual petitioner stipulates or otherwise judicially admits sixty days or more prior to trial that the amount of the individual petitioner's cause of action does not exceed ~~fifty thousand dollars~~ thirty five thousand dollars, exclusive of interest and costs, a defendant shall not be entitled to a trial by jury.

(b) If an individual petitioner stipulates or otherwise judicially admits for the first time less than sixty days prior to trial that the amount of the individual petitioner's cause of action does not exceed ~~fifty thousand dollars~~ thirty five thousand dollars, exclusive of interest and costs, any other party may retain the right to a trial by jury if that party is entitled to a trial by jury pursuant to this Article and has otherwise complied with the procedural requirements for obtaining a trial by jury.

(c) Notwithstanding Subsubparagraphs (a) and (b) of this Subparagraph, if, as a result of a compromise or dismissal of one or more claims or parties which occurs less than sixty days prior to trial, an individual petitioner stipulates or otherwise judicially admits that the amount of the individual petitioner's cause of action does not exceed ~~fifty thousand dollars~~ thirty five thousand dollars, exclusive of interest and costs, a defendant shall not be entitled to a trial by jury.

* * *"

AMENDMENT NO. 5

On page 2, delete lines 1 through 19 in their entirety.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.