

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 18, 2008
Date

Committee on State, Veterans & Military Affairs.

After consideration on the merits, the Committee recommends the following:

SB08-164 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, strike line 9 and substitute the following:
- 2 "SECTION 2. 13-21-102.5 (3) (a) and (3) (c) (IV), Colorado
3 Revised Statutes, are";
- 4 strike lines 15 and 16 and substitute the following:
- 5 "thousand dollars. ~~unless~~ DAMAGES IN CIVIL ACTIONS OTHER THAN
6 MEDICAL MALPRACTICE ACTIONS MAY EXCEED SUCH LIMITATION IF the
7 court finds justification by clear and convincing evidence; ~~therefor~~
8 EXCEPT THAT in no case shall the amount of";
- 9 after line 20, insert the following:
- 10 "(c) (IV) Nothing in this subsection (3) shall change the
11 limitations on damages set forth in section 13-64-302, or the limitation on
12 ~~damages~~ set forth in section 33-44-113, C.R.S.
- 13 **SECTION 3.** 13-21-102.5 (3) (c), Colorado Revised Statutes, is
14 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:
- 15 **13-21-102.5. Limitations on damages for noneconomic loss or**
16 **injury.** (3) (c) (V) NOTHING IN THIS SUBSECTION (3) SHALL CHANGE THE
17 LIMITATIONS ON DAMAGES FOR ACTIONS AGAINST PUBLIC EMPLOYEES OR

- 1 PUBLIC ENTITIES SET FORTH IN SECTION 24-10-114, C.R.S., OF THE
- 2 COLORADO GOVERNMENTAL IMMUNITY ACT, ARTICLE 10 OF TITLE 24,
- 3 C.R.S."

- 4 Renumber succeeding sections accordingly.

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