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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE IN PARTICULAR  
ACTIONS - CONTRIBUTIONS AMONG JOINT TORTFEASORS

Introduced By: Representatives Morgan, Chippendale, and Giarrusso

Date Introduced: March 01, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 10-6 of the General Laws entitled "Contribution Among Joint  
2 Tortfeasors" is hereby amended by adding thereto the following section:

3           **10-6-12. Judgment-proof tortfeasors.**

4           (a) Whenever two (2) or more joint tortfeasors are adjudged liable for the same injury to  
5 person or property and any tortfeasor is found to be unable to satisfy that tortfeasor's share of the  
6 judgment, that tortfeasor's share shall be borne by all parties to the action in accordance with their  
7 pro rata share of culpability as determined by the finder of fact.

8           (b) Notwithstanding the language of subsection (a) of this section, a plaintiff shall have a  
9 right to execute the judgment against the judgment-proof tortfeasors as provided in chapter 25 of  
10 title 9 to the extent such execution is consistent with the terms herein.

11           (c) Any joint tortfeasor's right to contribution is preserved.

12           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would require that a tortfeasor's share of a judgment be borne by all parties to the  
2 action in accordance with their pro rata share of culpability whenever a tortfeasor is found to be  
3 unable to satisfy their share.

4           This act would take effect upon passage.

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