

2014 -- H 7774

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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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, Marcello, Giarrusso, Chippendale, and
Winfield

Date Introduced: February 27, 2014

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

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

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

11 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
2 the action in accordance with their pro rata share of culpability whenever a tortfeasor is found to
3 be unable to satisfy their share.

4 This act would take effect upon passage.

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