

Adopted	Rejected
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# COMMITTEE REPORT

<b>YES:</b>	<b>10</b>
<b>NO:</b>	<b>4</b>

**MR. SPEAKER:**

*Your Committee on Judiciary, to which was referred House Bill 1144, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, delete lines 7 through 16.
- 2 Page 1, line 17, delete "(e)" and insert "(b)".
- 3 Page 2, line 1, delete "who was:" and insert ",".
- 4 Page 2, delete lines 2 through 3.
- 5 Page 2, line 4, delete "when the wrongful act or omission
- 6 occurred,".
- 7 Page 2, delete lines 8 through 10.
- 8 Page 2, line 11, delete "(g)" and insert "(c)".
- 9 Page 2, line 20, delete "to the" and insert ".".
- 10 Page 2, delete lines 21 through 24.
- 11 Page 2, line 27, delete "(h)" and insert "(d)".
- 12 Page 2, line 27, delete "(g)(2)(A)" and insert "(c)(2)(A)".
- 13 Page 2, line 30, delete "presumptively".
- 14 Page 2, line 31, delete "the persons described in subsection

1 (g)(2)(B) as follows:" and insert "**a parent or child of the adult**  
2 **person.**".

3 Page 2, delete lines 32 through 42.

4 Page 3, delete lines 1 through 21.

5 Page 3, line 22, delete "(j)" and insert "(e)".

6 Page 3, after line 32, begin a new paragraph and insert:

7 "SECTION 3. [EFFECTIVE JULY 1, 1998] **(a) In an action**  
8 **brought under IC 34-1-1-9, as added by this act, the trier of fact**  
9 **shall make a separate finding with respect to damages awarded**  
10 **under IC 34-1-1-9(c)(2)(B).**

11 **(b) This SECTION expires July 1, 2002.**

12 SECTION 4. [EFFECTIVE JULY 1, 1998] **(a) This subsection**  
13 **does not apply to a cause of action that accrues after June 30, 2002.**  
14 **Damages that may be recovered under IC 34-1-1-9(c)(2)(B) may**  
15 **not exceed three hundred thousand dollars (\$300,000).**

16 **(b) In an action brought under IC 34-1-1-9, as added by this**  
17 **act, the jury may not be advised of the monetary limits placed on**  
18 **damages under subsection (a). If the jury awards the plaintiff**  
19 **damages under IC 34-1-1-9(c)(2)(B) in an amount that exceeds**  
20 **three hundred thousand dollars (\$300,000), the court shall reduce**  
21 **that part of the damages awarded to the plaintiff to three hundred**  
22 **thousand dollars (\$300,000).**

23 **(c) This SECTION expires July 1, 2002."**

(Reference is to HB 1144 as introduced.)

**and when so amended that said bill do pass.**

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Representative Villalpando