

2015 -- H 5248

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

A N A C T

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

Introduced By: Representatives Morgan, Chippendale, Giarrusso, Nardolillo, and
Roberts

Date Introduced: January 29, 2015

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 chapter 25 of**
9 **title 9 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 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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