

HB1136_L.005

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.HB13-1136 be amended as follows:

- 1 Amend printed bill, page 3, strike line 17.
- 2 Renumber succeeding subparagraph accordingly.
- 3 Page 4, line 4, strike "IN A PROCEEDING OR" and substitute "AND EXCEPT
4 AS PROVIDED IN PARAGRAPH (g) OF THIS SUBSECTION (3), IN A".
- 5 Page 4, line 5, strike "COMPLAINING PARTY OR".
- 6 Page 4, line 6, strike "RESPONDENT OR".
- 7 Page 4, line 8, strike "COMPLAINING PARTY OR".
- 8 Page 4, strike line 10 and substitute "COURT SHALL NOT AWARD A
9 PLAINTIFF".
- 10 Page 4, line 11, strike "RESPONDENT OR".
- 11 Page 4, line 15, strike "COMPLAINING PARTY OR".
- 12 Page 4, line 16, strike "RESPONDENT OR".
- 13 Page 4, line 17, strike "COMPLAINING PARTY OR".
- 14 Page 4, line 18, strike "RESPONDENT OR".
- 15 Page 4, line 21, strike "COMPLAINING PARTY OR".
- 16 Page 4, line 22, strike "COMPLAINING PARTY OR".
- 17 Page 4, line 23, strike "RESPONDENT OR".
- 18 Page 4, line 24, before "OTHER" insert "FUTURE OR" and after "LOSSES,"
19 insert "INCLUDING FRONT PAY,".
- 20 Page 4, line 27, after "(d)" insert "(I)".
- 21 Page 5, strike lines 2 through 7 and substitute "EXCEED THE FOLLOWING



1 AMOUNTS FOR EACH PLAINTIFF, REGARDLESS OF WHETHER THE DAMAGES
2 ARE COMPENSATORY, PUNITIVE, OR A COMBINATION OF COMPENSATORY
3 AND PUNITIVE DAMAGES:

4 (A) IF THE DEFENDANT HAS SIX OR MORE EMPLOYEES BUT FIFTEEN
5 OR FEWER EMPLOYEES IN EACH OF TWENTY OR MORE CALENDAR WEEKS IN
6 EITHER THE CURRENT OR PRECEDING CALENDAR YEAR, TEN THOUSAND
7 DOLLARS;

8 (B) IF THE DEFENDANT HAS SIXTEEN OR MORE EMPLOYEES BUT
9 FIFTY OR FEWER EMPLOYEES IN EACH OF TWENTY OR MORE CALENDAR
10 WEEKS IN EITHER THE CURRENT OR PRECEDING CALENDAR YEAR,
11 TWENTY-FIVE THOUSAND DOLLARS; AND

12 (C) IF THE DEFENDANT HAS MORE THAN FIFTY EMPLOYEES IN EACH
13 OF TWENTY OR MORE CALENDAR WEEKS IN EITHER THE CURRENT OR
14 PRECEDING CALENDAR YEAR, FIFTY THOUSAND DOLLARS;

15 (II) IF THE DEFENDANT HAS FIVE OR FEWER EMPLOYEES IN EACH OF
16 TWENTY OR MORE CALENDAR WEEKS IN EITHER THE CURRENT OR
17 PRECEDING CALENDAR YEAR, THE COURT SHALL NOT AWARD
18 COMPENSATORY OR PUNITIVE DAMAGES AGAINST THE DEFENDANT.

19 (III) IN DETERMINING THE".

20 Page 5, line 8, strike "COMPLAINING PARTY OR".

21 Page 5, line 10, strike "COMMISSION OR".

22 Page 5, line 11, strike "RESPONDENT OR".

23 Page 5, line 16, strike "FRONT PAY,".

24 Page 5, after line 20, insert:

25 "(g) THE REMEDIES SPECIFIED IN THIS SUBSECTION (3) ARE NOT
26 AVAILABLE TO A PLAINTIFF WHO MAY BRING A CLAIM FOR COMPENSATORY
27 OR PUNITIVE DAMAGES UNDER 42 U.S.C. SEC. 1981, 42 U.S.C. SEC. 1981a,
28 or 42 U.S.C. sec. 1983."

29 Page 5, line 21, strike "COMPLAINING PARTY OR".

30 Page 5, line 24, strike "JURY." and substitute "JURY; EXCEPT THAT THE
31 JUDGE SHALL DETERMINE WHETHER TO AWARD COMPENSATORY OR
32 PUNITIVE DAMAGES AND THE AMOUNT OF THE DAMAGES."



- 1 Page 5, line 25, strike "PROCEEDING OR".
- 2 Page 5, line 26, strike "COMMISSION OR" and strike "FEES" and substitute
- 3 "FEES, NOT TO EXCEED FIFTY THOUSAND DOLLARS,".
- 4 Page 5, strike line 27 and substitute "COSTS TO THE PREVAILING PARTY.".
- 5 Page 6, strike lines 1 through 8.

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