

2016 -- S 2404

LC003148

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - ATTORNEY'S FEES

Introduced By: Senator William A. Walaska

Date Introduced: February 11, 2016

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 9-1-45 of the General Laws in Chapter 9-1 entitled "Causes of
2 Action" is hereby amended to read as follows:

3 **9-1-45. Attorney's fees in breach of contract actions. --** The court may award a
4 reasonable attorney's fee to the prevailing party in any civil action arising from a breach of
5 contract in which the court:

6 (1) Finds that there was a complete absence of a justiciable issue of either law or fact
7 raised by the losing party; or

8 (2) Renders a default judgment against the losing party; ~~or~~ [or](#)

9 [\(3\) Finds for the defendant.](#)

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO COURTS AND CIVIL PROCEDURE - ATTORNEY'S FEES

- 1 This act would authorize a court, in a breach of contract lawsuit, to award attorney's fees
- 2 to the successful defendant.
- 3 This act would take effect upon passage.

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