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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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