

House File 772

H-1503

1 Amend House File 772 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <Section 1. NEW SECTION. 668.15A Noneconomic damages —
5 award review.

6 In an action for damages, if a verdict in favor of a
7 plaintiff is rendered by a jury and if the damages include
8 noneconomic damages exceeding one million dollars, then the
9 trial judge, within thirty days of the date of the jury's
10 verdict, shall independently review the jury's verdict to
11 verify that the verdict and the damages are supported by
12 the facts of the case and established state law. If the
13 trial judge believes that the verdict reflects excessive or
14 inadequate damages influenced by the passions or prejudices
15 of the jury and is not based on substantial evidence, then
16 the trial judge shall issue findings of facts and conclusions
17 of law setting forth such belief and shall enter an order
18 remitting any amounts not supported by substantial evidence.
19 If the trial court enters a remittitur by reducing all or part
20 of the jury's verdict, the court shall give the plaintiff an
21 option to either accept the remitted amount or to accept a new
22 trial on the issue of damages.>

23 2. Title page, by striking lines 1 through 5 and inserting
24 <An Act relating to tort liability and noneconomic damages
25 award review.>

LOHSE of Polk