

An Act relating to tort reform; providing method of calculating attorney fees for class action cases; providing for judicial discretion to modify the fee award; requiring attorney fees to include noncash benefits in certain circumstances; defining term; amending 12 O.S. 2001, Section 95, as amended by Section 1, Chapter 402, O.S.L. 2002 (12 O.S. Supp. 2003, Section 95), which relates to limitations on civil actions; excluding product liability actions from the statute of limitations; providing a statute of repose for product liability actions; authorizing the court to decline to exercise jurisdiction under the doctrine of forum non conveniens; providing factors that the court may consider; requiring each plaintiff to establish venue in cases in which there are multiple plaintiffs; providing for interlocutory appeal; amending 12 O.S. 2001, Section 727, which relates to interest on judgments; providing that prejudgment interest shall not be allowed for awards for future damages; modifying method of computing postjudgment interest; amending 12 O.S. 2001, Section 990.4, which relates to stay of enforcement of judgments and appeal bonds; placing limit on the maximum amount of appeal bond; providing for the lowering of the appeal bond under certain circumstances; authorizing the court to enjoin a judgment debtor from dissipating or transferring assets in certain circumstances; amending 12 O.S. 2001, Section 993, which relates to interlocutory appeals from certain orders; modifying grounds for interlocutory appeals; providing standard for making certain determination; requiring the Supreme Court to make certain determination within certain time; amending 12 O.S. 2001, Section 1101.1, as amended by Section 7, Chapter 468, O.S.L. 2002 (12 O.S. Supp. 2003, Section 1101.1), which relates to offers of judgment; modifying conditions under which a plaintiff or defendant may recover litigation costs; removing the monetary limitation on application of offer of judgment law; limiting the amount of litigation costs that may be awarded; providing that a plaintiff or defendant is not entitled to recover fees and costs in certain circumstances; excluding certain fees and costs from calculation of litigation costs; amending 12 O.S. 2001, Section 2023, which relates to class actions; requiring the court to hear and rule on certain motions before making a determination on certifying a class; providing effect of interlocutory appeal in certain circumstances; creating the Judicial Panel on Multidistrict Litigation; providing for composition and appointment of panel; providing duties and authority of the panel; providing for authority of judge to whom a case is transferred; providing for remand of case for trial on the merits; providing for promulgation of rules; amending 23 O.S. 2001, Section 9.1, as amended by Section 1, Chapter 462, O.S.L. 2002 (23 O.S. Supp. 2003, Section 9.1), which relates to punitive damages; providing that jury award of punitive damages must be unanimous for cases filed after a certain date; creating the Proportionate Responsibility Act; amending 23 O.S. 2001, Sections 13 and 14, which relate to comparative negligence; providing for determination of responsibility; prohibiting submission of certain questions to the jury without supportive evidence; defining term; providing for joint and several liability in certain circumstances; prohibiting the disclosure to a jury of certain information; providing for reduction of damages if the plaintiff has settled with one or more persons; providing for designation of responsible third parties; providing that the Proportionate Responsibility Act shall not be construed to affect any right of indemnity granted by contract or otherwise provided by law; amending 23 O.S. 2001, Section 61, which relates to the measure of damages for the breach of obligations not arising from contract; providing that compensation from collateral sources may be admitted into evidence; providing exception; providing proof of

certain losses must be in the form of a net loss after reduction for income tax payments or unpaid tax liability; amending 47 O.S. 2001, Section 11-1112, as amended by Section 1, Chapter 55, O.S.L. 2002 (47 O.S. Supp. 2003, Section 11-1112), which relates to child passenger restraint systems; eliminating prohibitions against admissibility of violations of law and failure to properly restrain a child in civil actions; amending Sections 1, 5 and 6, Chapter 390, O.S.L. 2003 (63 O.S. Supp. 2003, Sections 1-1708.1A, 1-1708.1E and 1-1708.1F), which relate to the Affordable Access to Health Care Act; requiring certain persons to give written notice to health care provider prior to filing of medical liability action; modifying scope of limitation on noneconomic damages; removing termination date; limiting theory of recovery for certain medical liability actions; defining terms; creating certain rebuttable presumptions; providing required standard of proof in medical liability actions involving emergency care; providing for expert witnesses in medical liability actions; providing for payment of future losses in medical liability actions; creating the Education Quality and Protection Act; providing short title; stating legislative findings; stating purpose of the act; providing definitions; limiting the liability of educational entities and education employees for certain actions; stating standard of proof; limiting the liability of educational entities and education employees for certain reporting; prohibiting punitive or exemplary damages against an educational entity or education employee; making it unlawful to make a false criminal report against an education employee; providing punishment; limiting application for statements against certain persons; providing for effect on other laws; providing for the award of costs and attorney fees; authorizing expert witness fees; limiting amount of contingency fees by an attorney; providing penalty for violation of limit; providing for waiver of a defense when liability insurance is available; providing for the applicability of other laws; amending 76 O.S. 2001, Section 31, which relates to civil immunity for volunteers, charitable organizations, and not-for-profit corporations; modifying definition; creating the Product Liability Act; providing short title; defining terms; providing duty of manufacturer to indemnify; providing that a manufacturer or seller shall not be liable for inherently unsafe products; providing procedures and requirements in actions alleging design defect; providing elements a claimant must prove in certain actions against manufacturers or sellers of firearms or ammunition; limiting liability of nonmanufacturing sellers; providing rebuttable presumption in actions relating to pharmaceutical products; providing rebuttable presumption concerning compliance with government standards; defining term; requiring plaintiff to file certain affidavit in actions against design professionals; providing exception for contemporaneous filing requirement; providing for time of filing answer; providing for construction of section; defining terms; limiting liability of certain corporations for successor asbestos-related liabilities; repealing 47 O.S. 2001, Section 12-420, which relates to inadmissibility of evidence in civil actions of failure to use seatbelt; providing for codification; and providing an effective date.