



General Assembly

Amendment

January Session, 2017

LCO No. 7089



Offered by:

SEN. DOYLE, 9th Dist.
SEN. KISSEL, 7th Dist.
REP. TONG, 147th Dist.
REP. REBIMBAS, 70th Dist.

To: Subst. Senate Bill No. 981

File No. 675

Cal. No. 357

**"AN ACT CONCERNING STRATEGIC LITIGATION AGAINST
PUBLIC PARTICIPATION AND A SPECIAL MOTION TO DISMISS."**

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- 1 Change the effective date of section 1 to "Effective January 1, 2018,
2 and applicable to any civil action filed on or after said date"
- 3 In line 5, strike "or"
- 4 In line 6, after "figure" insert ", or (E) an audiovisual work"
- 5 In line 32, strike "sixty" and insert "thirty" in lieu thereof and strike
6 "service" and insert "return" in lieu thereof
- 7 In line 33, after "complaint," insert "or the filing of a"
- 8 In lines 46 and 49, strike "thirty" and insert "sixty" in lieu thereof
- 9 In lines 51 and 53, strike "thirty-day" and insert "sixty-day" in lieu
10 thereof

11 In line 67, strike "by a preponderance of the evidence, a"

12 In line 68, strike "probability of prevailing" and insert "that there is
13 probable cause, considering all valid defenses, that the party will
14 prevail" in lieu thereof

15 Strike lines 70 to 73, inclusive, in their entirety

16 In line 74, strike "(5)" and insert "(4)" in lieu thereof

17 In line 96, strike "or" and after "action" insert the following:

18 "; or (6) apply to a common law or statutory claim for bodily injury
19 or wrongful death, except the exclusion provided in this subdivision
20 shall not apply to claims for (A) emotional distress unrelated to bodily
21 injury or wrongful death or conjoined with a cause of action other than
22 for bodily injury or wrongful death, or (B) defamation, libel or slander.
23 The provisions of this subdivision shall not prohibit a plaintiff who
24 brings a claim for bodily injury or wrongful death from filing a special
25 motion to dismiss a counterclaim under the provisions of this section."