

1 AN ACT proposing an amendment to Section 54 of the Constitution of Kentucky
2 relating to recovery for injuries.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. Are you in favor of permitting the General Assembly to: (1) Place
5 limits on the dollar amount potentially awarded in a lawsuit to recover noneconomic
6 damages for injuries resulting in death; (2) Place limits on the dollar amount potentially
7 awarded in a lawsuit to recover noneconomic damages for injuries to person or property;
8 and (3) Create statutes of limitations or statutes of repose as to how long after the incident
9 a lawsuit may be commenced, by amending the Constitution of Kentucky to read as
10 proposed in Section 2 of this Act?

11 ➔Section 2. It is proposed that Section 54 of the Constitution of Kentucky be
12 amended to read as follows:

13 The General Assembly shall have~~[-no]~~ power to:

14 **(1) Limit the amount to be recovered *in noneconomic damages* for injuries**
15 **resulting in death;~~[-]~~**

16 **(2) *Limit the amount to be recovered in noneconomic damages*~~[-or]~~ for injuries**
17 **to person or property; *and***

18 **(3) *Provide for a uniform statute of limitations or statutes of repose, or both,***
19 ***for any civil action for injuries resulting in death or for injuries to persons or property.***

20 ➔Section 3. This amendment shall be submitted to the voters of the
21 Commonwealth for their ratification or rejection at the time and in the manner provided
22 for under Sections 256 and 257 of the Constitution and KRS 118.415 and under Sections
23 4 and 5 of this Act.

24 ➔Section 4. Notwithstanding any language in KRS 118.415 to the contrary, the
25 Secretary of State shall cause the entirety of the proposed amendment to the Constitution
26 of Kentucky contained in Sections 1 and 2 of this Act to be published at least one time in
27 a newspaper of general circulation published in this state, and shall also cause to be

1 published at the same time and in the same manner the fact that the amendment will be
2 submitted to the voters for their acceptance or rejection at the next regular election at
3 which members of the General Assembly are to be voted for. The publication required by
4 this section and KRS 118.415 shall be made no later than the first Tuesday in August
5 preceding the election at which the amendment is to be voted on.

6 ➔Section 5. Notwithstanding any language in KRS 118.415 to the contrary, the
7 Secretary of State, not later than the second Monday after the second Tuesday in August
8 preceding the next regular election at which members of the General Assembly are to be
9 chosen in a year in which there is not an election for President and Vice President of the
10 United States, or not later than the Thursday after the first Tuesday in September
11 preceding a regular election in a year in which there is an election for President and Vice
12 President of the United States, shall certify the entirety of the proposed amendment to the
13 Constitution of Kentucky contained in Sections 1 and 2 of this Act to the county clerk of
14 each county, and the county clerk shall have the entirety of the amendment, as so
15 certified, indicated on the ballots provided to the voters in paper or electronic form as
16 applicable to the voting machines in use in each county or precinct.