

1 § -3 **Limitation on number of actions.** The court shall
2 consolidate all actions challenging a single law brought under
3 this chapter.

4 § -4 **Vigorous prosecution.** Any consumer who brings or
5 joins a lawsuit under this chapter shall prosecute the action
6 diligently. Failure to do so will permit the court, in its
7 discretion, to dismiss the plaintiff from the lawsuit.

8 § -5 **Costs and fees.** A consumer who brings a successful
9 action under this chapter shall be entitled to reasonable
10 attorneys' fees and costs.

11 § -6 **Review of the law.** In reviewing a law challenged
12 under this chapter, the court shall first determine if the
13 primary intent of the law is an economic impact on the consumers
14 in the State. If the court determines that the primary intent
15 of the law is an economic impact on the consumers, the court
16 shall next determine whether the impact is positive or negative.
17 If the court finds that different classes of consumers would be
18 subject to different impacts, the court shall determine whether,
19 as to the majority of the whole class, the law has a positive or
20 negative impact.

21 § -7 **Effect of judgment.** Upon a finding that the law
22 violates the right set forth in section -1, the court shall




1 enter a declaratory judgment voiding the parts of the law that
2 have a negative impact. If the court finds that it cannot void
3 the parts of the law without substantially changing the intent
4 of the law, the court shall void the entire law. Any portion of
5 the law so voided shall be deemed void from the effective date
6 of that law."

7 SECTION 2. This Act, upon its approval, shall take effect
8 upon ratification of a constitutional amendment prohibiting the
9 legislature from enacting any law whose primary impact is a
10 negative economic impact on consumers in the State.

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INTRODUCED BY:



JAN 17 2007



Report Title:

Consumer Actions

Description:

If a constitutional amendment authorizes it, the Act establishes a right of a consumer to bring an action for declaratory relief for any law enacted by the Legislature that has primarily a negative economic impact on the consumer.

