

ADOPTED

1 Senators Harp of the 16th, Lamutt of the 21st and Johnson of the 1st offered the following
2 amendment:

3 Amend SB 217 by striking from lines 6 through 11 of page 6 the following:

4 "merits, except that the trial court shall at all times prior to entry of a final order retain
5 jurisdiction to revisit the certification issues upon motion of a party and to order
6 decertification of the class if during the litigation of the case it shall become evident to the
7 court that the action is no longer reasonably maintainable as a class action pursuant to the
8 factors enumerated in subsection (b) of Code Section 9-11-23."

9 and inserting in their place the following:

10 "merits. Such certification shall constitute a final and binding determination with respect to
11 that class for the remainder of the adjudication of the action."