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Appeal Bond Waiver Act

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. **DO YOU?**

Section 1. Appeal Bond Waived

(a) In any civil action in which a plaintiff obtains a judgment, the state supersedeas bond requirements shall be waived as to that portion of the judgment that exceeds \$25,000,000 if the party or parties found liable seek a stay of enforcement of the judgment during the appeal.

(b) If the party seeking the appeal is a small business, the state supersedeas bond requirements shall be waived as to that portion of the judgment that exceeds \$1,000,000 while any appeals are pending. A small business is [states should select one of the following alternatives] Alternative 1: a business that has 50 or fewer employees and annual revenues of \$5,000,000 or less. Alternative 2: cite to definition under other section of state law or draft new definition.

(c) If a plaintiff proves by a preponderance of the evidence that a party bringing an appeal, for whom the supersedeas bond requirement has been waived, is purposefully dissipating its assets or diverting assets outside the jurisdiction of the United States courts waiver shall be rescinded and the bond requirement that would otherwise apply shall be reinstated.

(d) A court may otherwise waive the filing of a supersedeas bond in a civil action for good cause shown.

Section 2. Effective Date.

This Act shall take effect on its date of enactment and shall apply to any action which has not yet begun or which is pending on the date of enactment of this Act.

Adopted by ALEC's Civil Justice Task Force at the States and Nation Policy Summit December 10, 1999; amended at the Spring Task Force Summit April 13, 2002; amended at the States and Nation Policy Summit, December 2005. Approved by full ALEC Board of Directors, January, 2006.

ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda-underwritten by global corporations- includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

ALEC's Corporate Board --in recent past or present

- AT&T Services, Inc.
 - centerpoint360
 - UPS
 - Bayer Corporation
 - GlaxoSmithKline
 - Energy Future Holdings
 - Johnson & Johnson
 - Coca-Cola Company
 - PhRMA
 - Kraft Foods, Inc.
 - Coca-Cola Co.
 - Pfizer Inc.
 - Reed Elsevier, Inc.
 - DIAGEO
 - Peabody Energy
 - Intuit, Inc.
 - Koch Industries, Inc.
 - ExxonMobil
 - Verizon
 - Reynolds American Inc.
 - Wal-Mart Stores, Inc.
 - Salt River Project
 - Altria Client Services, Inc.
 - American Bail Coalition
 - State Farm Insurance
- For more on these corporations, search at www.SourceWatch.org.

From CMD: This "model" bill would make it easier for corporations get a waiver from posting a sufficient bond to help cover a judgment against them while they are appealing a decision finding them at fault. It thus makes it easier to divert assets following a court decision that finds them at fault for the injury or death of an American.