



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:

*R. C. D. J.*  
*by request*



**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.

