



ORIGINAL

1314H0303.01F

HB 697

House _____ Amendment NO. _____

Offered By Mitten 83

1 AMEND House Committee Substitute for House Bill No. 697, Pages 1-2, Section 490.065, Lines
2 1-21, by deleting all of said lines from the bill and inserting in lieu thereof the following:
3

4 "490.065. 1. [In any civil action, if scientific, technical or other specialized knowledge will
5 assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as
6 an expert by knowledge, skill, experience, training, or education may testify thereto in the form of an
7 opinion or otherwise.

8 2. Testimony by such an expert witness in the form of an opinion or inference otherwise
9 admissible is not objectionable because it embraces an ultimate issue to be decided by the trier of
10 fact.

11 3. The facts or data in a particular case upon which an expert bases an opinion or inference
12 may be those perceived by or made known to him at or before the hearing and must be of a type
13 reasonably relied upon by experts in the field in forming opinions or inferences upon the subject and
14 must be otherwise reasonably reliable.

15 4. If a reasonable foundation is laid, an expert may testify in terms of opinion or inference
16 and give the reasons therefor without the use of hypothetical questions, unless the court believes the
17 use of a hypothetical question will make the expert's opinion more understandable or of greater
18 assistance to the jury due to the particular facts of the case.]" A witness who is qualified as an expert
19 by knowledge, skill, experience, training, or education may testify in the form of an opinion or
20 otherwise if:"; and
21

22 Further amend said bill and section, Page 2, Line 22, by deleting the letter "(a)" and inserting in lieu
23 thereof the number "(1)"; and
24

25 Further amend said bill, page, and section, Line 24, by deleting the letter "(b)" and inserting in lieu
26 thereof the number "(2)"; and
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28 Further amend said bill, page, and section, Line 25 by deleting the letter "(c)" and inserting in lieu
29 thereof the number "(3)"; and
30

31 Further amend said bill, page, and section, Line 26, by deleting the letter "(d)" and inserting in lieu
32 thereof the number "(4)"; and
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34 Further amend said bill, page, and section, Line 28, by deleting the letter "(b)" and inserting in lieu
35 thereof the number "(2)"; and
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- 1 Further amend said bill, page, and section, Line 28, by deleting the number "(2)" and inserting in lieu
- 2 thereof the number "2."; and
- 3
- 4 Further amend said bill, page, and section, Line 35, by deleting "(3)(a)" and inserting in lieu thereof
- 5 the following "3. (1)"; and
- 6
- 7 Further amend said bill, page, and section, Line 36, by deleting the letter "(b)" and inserting in lieu
- 8 thereof the number "(2)"; and
- 9
- 10 Further amend said bill, page, and section, Line 39, by deleting the number "(4)" and inserting in lieu
- 11 thereof the number "4."; and
- 12
- 13 Further amend said bill by amending the title, enacting clause, and intersectional references
- 14 accordingly.

