

Calendar No. 268

103D CONGRESS
1ST SESSION

H. R. 2814

AN ACT

To permit the taking effect of certain proposed
rules of civil procedure, with modifications.

NOVEMBER 4 (legislative day, NOVEMBER 2), 1993

Received; read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

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AN ACT

To permit the taking effect of certain proposed rules of
civil procedure, with modifications.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Civil Rules Amend-
5 ments Act of 1993”.

6 **SEC. 2. MODIFICATION OF PROPOSED AMENDMENTS.**

7 The proposed amendments to the Federal Rules of
8 Civil Procedure which are embraced by an order entered
9 by the Supreme Court of the United States on April 22,
10 1993, shall take effect on December 1, 1993, as otherwise
11 provided by law, but with the following amendments:

1 (1) RULE 26.—

2 (A) IN GENERAL.—Proposed rule 26(a) is
3 amended so that paragraph (1) reads as
4 follows:

5 “(1) INSURANCE AGREEMENTS.—A party may
6 obtain discovery of the existence and contents of any
7 insurance agreement under which any person carry-
8 ing on an insurance business may be liable to satisfy
9 part or all of a judgment which may be entered in
10 the action or to indemnify or reimburse for pay-
11 ments made to satisfy the judgment. Information
12 concerning the insurance agreement is not by reason
13 of disclosure admissible in evidence at trial. For pur-
14 poses of this paragraph, an application for insurance
15 shall not be treated as part of an insurance
16 agreement.”.

17 (2) CONFORMING AMENDMENTS.—(A) Proposed
18 rule 26(a)(2) is amended by striking “In addition to
19 the disclosures required by paragraph (1), a” and
20 inserting “A”.

21 (B) Proposed rule 26(a)(3) is amended by
22 striking “the preceding paragraphs” and inserting
23 “paragraph (2)”.

24 (C) Proposed rule 26(a)(4) is amended by strik-
25 ing “(1) through” and inserting “(2) and”.

1 (D) Proposed rule 26(f) is amended by striking
2 “to make or arrange for the disclosures required by
3 subdivision (a)(1),”.

4 (E) Proposed rule 26(g)(1) is amended by
5 striking “subdivision (a)(1) or”.

6 (3) RULE 30.—

7 (A) IN GENERAL.—Proposed rule 30(b)(2) is
8 amended by striking “Unless the court orders other-
9 wise, it may be recorded by sound, sound-and-visual,
10 or stenographic means, and the” and inserting “Un-
11 less the court upon motion orders, or the parties
12 agree in writing to use, sound or sound-and-visual
13 means, the deposition shall be recorded by steno-
14 graphic means. The”.

15 (B) CONFORMING AMENDMENT.—Proposed rule
16 30(b) is amended by striking paragraph (3).

17 (4) FORM 35.—Proposed form 35 is amended—

18 (A) by striking paragraph (2); and

19 (B) by redesignating paragraphs (3) and (4) as
20 paragraphs (2) and (3).

Passed the House of Representatives November 3,
1993.

Attest: DONNALD K. ANDERSON,
Clerk.