A BILL FOR AN ACT

To further amend title 11 of the Code of the Federated States of Micronesia, as amended, by further amending section 701, as amended by Public Law No. 3-75, for the purpose of limiting attorney's fees awarded to a party prevailing against the National Government of the Federated States of Micronesia to $40.00 per hour, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF THE FEDERATED STATES OF MICRONESIA:

1. Section 701 of title 11 of the Code of the Federated States of Micronesia, as amended by Public Law No. 3-75, is hereby further amended to read as follows:

"Section 701. Deprivation of rights.

(1) Deprivation of rights. A person commits an offense if he willfully, whether or not acting under color of law, deprives another of, or injures, oppresses, threatens, or intimidates another in the free exercise or enjoyment of, or because of his having so exercised any right, privilege, or immunity secured to him by the Constitution or laws of the Federated States of Micronesia, the laws of the Trust Territory of the Pacific Islands, or the Constitution or laws of the United States of America which are applicable to the Federated States of Micronesia.

(2) Penalty. A person convicted under this section shall be punished by imprisonment for not more than three years.

(3) Civil liability. A person who deprives another of any right or privilege protected under this section shall be civilly liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, without regard to whether a criminal case has been brought or conviction obtained. In an action brought under this section, the court may award costs and reasonable attorney's fees to the prevailing party; PROVIDED, however, that attorney's fees awarded to a party prevailing against the National Government
Section 2. This act shall become law upon approval by the President of the Federated States of Micronesia or upon its becoming law without such approval.

Date: 10-16-87

Introduced by: Claude H. Phillip