

2019 -- H 5478

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY

Introduced By: Representatives Craven, Millea, and McEntee

Date Introduced: February 14, 2019

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 9-20-4 of the General Laws in Chapter 9-20 entitled "Decisions,  
2 Special Findings and Assessment of Damages" is hereby amended to read as follows:

3           **9-20-4. Comparative negligence.**

4           In all actions hereafter brought for personal injuries, or where personal injuries have  
5 resulted in death, or for injury to property, the fact that the person injured, or the owner of the  
6 property or person having control over the property, may not have been in the exercise of due  
7 care or the fact that the danger or defect was open and obvious shall not bar a recovery, but  
8 damages shall be diminished by the finder of fact in proportion to the amount of negligence  
9 attributable to the person injured, or the owner of the property or the person having control over  
10 the property.

11           SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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- 1           This act would provide that an open and obvious danger or defect is not a complete bar to
- 2 recovery of damages in personal injury or property damage actions.
- 3           This act would take effect upon passage.

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