

2010 -- S 2469

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE IN PARTICULAR  
ACTIONS -- DEATH BY WRONGFUL ACT

Introduced By: Senator Michael J. McCaffrey

Date Introduced: February 11, 2010

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 10-7-1.2 of the General Laws in Chapter 10-7 entitled "Death By  
2 Wrongful Act" is hereby amended to read as follows:

3 **10-7-1.2. Liability for loss of consortium -- Liability for loss of society and**  
4 **companionship.** -- (a) Whenever the death of a married person shall be caused by the wrongful  
5 act, neglect, or default of another person, the decedent's spouse may recover damages against the  
6 person for loss of consortium.

7 (b) Whenever the death of a parent or parents of a son or daughter ~~an unemancipated~~  
8 ~~minor or minors~~ shall be caused by the wrongful act, neglect or default of another person, the son  
9 or daughter ~~minor or minors~~ may recover damages against the person for the loss of parental  
10 society and companionship.

11 (c) Whenever the death of a son or daughter ~~an unemancipated minor~~ shall be caused by  
12 the wrongful act, neglect, or default of another person, the parent or parents of the son or daughter  
13 ~~minor~~ may recover damages against the person for the loss of the son's or daughter's ~~minor's~~  
14 society and companionship.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE IN PARTICULAR  
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- 1           This act would allow a parent to recover damages for loss of consortium or parental
- 2 society and companionship irrelevant of the son's or daughter's age.
- 3           This act would take effect upon passage.

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