

118TH CONGRESS
1ST SESSION

H. R. 3788

To provide authorization for nonpecuniary damages in an action resulting from a cruise ship voyage occurring on the high seas.

IN THE HOUSE OF REPRESENTATIVES

JUNE 1, 2023

Mr. BACON (for himself, Ms. MATSUI, Mr. VAN DREW, and Ms. SCANLON) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide authorization for nonpecuniary damages in an action resulting from a cruise ship voyage occurring on the high seas.

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 “Hammers’ Law”.

5 **SEC. 2. LIMITATIONS IN CERTAIN CASES.**

6 (a) IN GENERAL.—Section 30307 of title 46, United
7 States Code, is amended—

1 (1) in the section heading, by striking “**Com-**
2 **mercial aviation accidents**” and inserting
3 “**Limitations in certain cases**”;

4 (2) by striking subsection (a) and inserting the
5 following:

6 “(a) DEFINITIONS.—In this section:

7 “(1) CRUISE SHIP.—The term ‘cruise ship’
8 means a passenger vessel, other than a vessel of the
9 United States operated by the Federal Government
10 or a vessel owned and operated by a State, that—

11 “(A) is authorized to carry at least 250
12 passengers;

13 “(B) has onboard sleeping facilities for
14 each passenger;

15 “(C) is on a voyage that embarks or dis-
16 embarks passengers in the United States; and

17 “(D) is not engaged on a coastwise voyage.

18 “(2) NONPECUNIARY DAMAGES.—The term
19 ‘nonpecuniary damages’ means damages for loss of
20 care, comfort, and companionship.”;

21 (3) in subsection (b), by inserting “or cruise
22 ship voyage” after “commercial aviation”; and

23 (4) in subsection (c), by inserting “or cruise
24 ship voyage” after “commercial aviation”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 303 of title 46, United States Code, is amend-
3 ed by striking the item relating to section 30307 and in-
4 serting the following:

“30307. Limitations in certain cases.”.

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