

118TH CONGRESS
1ST SESSION

S. 1085

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

IN THE SENATE OF THE UNITED STATES

MARCH 30, 2023

Mrs. FISCHER (for herself and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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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