2007 -- H 5868

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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE IN PARTICULAR ACTIONS - WRONGFUL DEATH -- DOMESTIC PARTNERS

Introduced By: Representatives Dennigan, Segal, Handy, and Church

Date Introduced: March 01, 2007

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

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

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

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

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

(d)(1) Whenever two (2) adults have consented to exclusively share one another's lives in an intimate and committed relationship of mutual caring, and shall share a common residence and living expenses, are, and remain unmarried, agree if necessary to provide and be jointly responsible for basic and essential living expenses of each other, they shall be deemed to be "domestic partners" for purposes of this section.

(2) Whenever the death of a domestic partner shall be caused by the wrongful act,

neglect, or default of another person, the other domestic partner as defined in subsection (d)(1) may recover damages against the person for the loss of the partner's society and companionship.

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 ACTIONS - WRONGFUL DEATH -- DOMESTIC PARTNERS

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This act would permit a domestic partner to recover damages for loss of consortium for the wrongful death of the other domestic partner.

This act would take effect upon passage.

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