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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2015

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY

Introduced By: Senators McCaffrey, Lynch, Lombardi, and Conley

Date Introduced: March 03, 2015

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

10           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 GENERALLY

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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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