

111TH CONGRESS
2D SESSION

S. 3463

To amend chapter 303 of title 46, United States Code, to provide fair treatment for the families of those killed on the high seas.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2010

Mr. LEAHY (for himself, Mr. DURBIN, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend chapter 303 of title 46, United States Code, to provide fair treatment for the families of those killed 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 “Survivors Equality Act
5 of 2010”.

1 **SEC. 2. FAIR TREATMENT FOR THE FAMILIES OF THOSE**
 2 **KILLED ON THE HIGH SEAS.**

3 Chapter 303 of title 46, United States Code, is
 4 amended by striking section 30303 and inserting the fol-
 5 lowing:

6 **“§ 30303. Amount and apportionment of recovery**

7 “(a) DEFINITION.—In this section, the term ‘non-
 8 pecuniary loss’ means loss of care, comfort, and compan-
 9 ionship.

10 “(b) RECOVERY.—The recovery in an action under
 11 this chapter shall be a fair compensation for the pecuniary
 12 and nonpecuniary loss sustained by the individuals for
 13 whose benefit the action is brought. The individuals for
 14 whose benefit the action is brought may also recover dam-
 15 ages for the decedent’s pre-death pain and suffering.”.

16 **SEC. 3. EFFECTIVE DATE.**

17 The amendment made by this Act shall take effect
 18 on the date of enactment of this Act and apply to any
 19 civil action filed on or after that date.

