

115TH CONGRESS  
2D SESSION

# H. R. 5061

To amend title 46, United States Code, to limit recovery for certain injuries incurred in shellfish aquaculture activities if a remedy is available.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2018

Mr. SANFORD introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 46, United States Code, to limit recovery for certain injuries incurred in shellfish aquaculture activities if a remedy is available.

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 “Shellfish Aquaculture  
5 Improvement Act of 2018”.

1 **SEC. 2. LIMITATION ON RECOVERY FOR CERTAIN INJURIES**  
2 **INCURRED IN SHELLFISH AQUACULTURE AC-**  
3 **TIVITIES IF STATE REMEDY IS AVAILABLE.**

4 Section 30104 of title 46, United States Code, is  
5 amended—

6 (1) by inserting “(a) IN GENERAL.—” before  
7 the first sentence; and

8 (2) by adding at the end the following:

9 “(b) LIMITATION ON RECOVERY BY AQUACULTURE  
10 WORKERS.—For purposes of subsection (a), the term ‘sea-  
11 man’ does not include an individual who is an aquaculture  
12 worker, as that term is defined in section 701.302(e)(5)  
13 of title 20, Code of Federal Regulations, as in effect on  
14 the date of the enactment of the Shellfish Aquaculture Im-  
15 provement Act of 2018, if State workers’ compensation  
16 is available to such individual.”.

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