116TH CONGRESS
1ST SESSION

S. 1062

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

IN THE SENATE OF THE UNITED STATES

APRIL 8, 2019

Mrs. FISCHER 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 accident 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—

8   (1) in the section heading, by striking "**Com-**

9   **mercial aviation accidents**" and inserting

10   "**Limitations in certain cases**";

1   (2) by striking subsection (a) and inserting the

2   following:

3   "(a) DEFINITIONS.—In this section:

4   "(1) CRUISE SHIP.—The term 'cruise ship'

5   means a passenger vessel, other than a vessel of the

6   United States operated by the Federal Government

7   or a vessel owned and operated by a State, that—

8   "(A) is authorized to carry at least 250

9   passengers;

10   "(B) has onboard sleeping facilities for

11   each passenger;

12   "(C) is on a voyage that embarks or dis-

13   embarks passengers in the United States; and

14   "(D) is not engaged on a coastwise voyage.

15   "(2) NONPECUNIARY DAMAGES.—The term

16   'nonpecuniary damages' means damages for loss of

17   care, comfort, and companionship.";

18   (3) in subsection (b), by inserting "or cruise

19   ship" after "commercial aviation"; and

20   (4) in subsection (c), by inserting "or cruise

21   ship" after "commercial aviation".

22   (b) CLERICAL AMENDMENT.—The table of sections

23 for chapter 303 of title 46, United States Code, is amend-

1 ed by striking the item relating to section 30307 and in-

2 serting the following:

"30307. Limitations in certain cases.".

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