



Testimony of Louise DiCocco
Assistant Counsel, CBIA
Before the Judiciary Committee
February 29, 2016

Re: Testimony in Opposition to SB 247, AAC A Cause of Action for Loss of Consortium by a Minor Child with Respect to the Death of a Parent.

Good afternoon Senator Coleman, Representative Tong, members of the Judiciary committee. Thank you for the opportunity to testify today. My name is Louise DiCocco, and I am Assistant Counsel at the Connecticut Business and Industry Association (CBIA). CBIA represents more than 10,000 companies throughout the state of Connecticut, but most of our members are small businesses of 50 or fewer employees.

CBIA opposes SB 247. SB 247 does not simply codify the recent Supreme Court ruling in *Campos v. Coleman*, but exceeds and expands the court's ruling to create an entirely new cause of action for loss of parental consortium in a wrongful death case. In the *Campos* case, the Supreme Court did recognize a claim of loss of consortium by a minor child, but placed certain restrictions on the ability to bring suit and recover damages. Specifically consortium claims could only be raised on behalf of a child who was a minor at the time of the injury, and must be attached to the injured parent's claim for recovery. The language in SB 247 is much broader and creates a significant risk of double recovery.

While the *Campos* decision represents a change in tort law, parental consortium is vastly different than spousal consortium. CBIA respectfully requests the Judiciary committee refrain from expanding on this cause of action of which the full costs and results have yet to be determined.

Thank you for your consideration. If you have any questions, please contact Louise DiCocco at louise.dicocco@cbia.com or 860.244-1169.