



General Assembly

February Session, 2016

***Raised Bill No. 247***

LCO No. 1887



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING A CAUSE OF ACTION FOR LOSS OF  
CONSORTIUM BY A MINOR CHILD WITH RESPECT TO THE DEATH  
OF A PARENT.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. (NEW) (*Effective from passage and applicable to any civil*  
2 *action pending on or filed after October 6, 2015*) Any claim or cause of  
3 action for loss of consortium by a minor child with respect to the death  
4 of a parent shall be separate from and independent of all claims or  
5 causes of action for the determination of damages with respect to such  
6 death.

7 Sec. 2. (NEW) (*Effective from passage and applicable to any civil action*  
8 *pending on or filed after October 6, 2015*) Any claim or cause of action for  
9 loss of consortium by a minor child with respect to the death of a  
10 parent, which claim or cause of action may include, without limitation,  
11 claims for damages with respect to the loss of love, care,  
12 companionship and guidance provided by the parent, suffered because  
13 of the death of the parent, shall be brought with or joined with the  
14 claims and causes of action with respect to the death of the parent.

15       Sec. 3. (NEW) (*Effective from passage and applicable to any civil action*  
 16 *pending on or filed after October 6, 2015*) (a) No action with respect to any  
 17 claim or cause of action for loss of consortium by a minor child shall be  
 18 commenced except within the time within which an action may be  
 19 commenced with respect to the death of the parent in relation to which  
 20 the action for loss of consortium arises.

21       (b) Any claim or cause of action for loss of consortium by a minor  
 22 child arising out of the claim or cause of action for the wrongful death  
 23 of a parent shall be contingent upon proof of facts sufficient to  
 24 establish recovery for the claim or cause of action for wrongful death.  
 25 Nothing in this section or sections 1 or 2 of this act shall limit the  
 26 assertion of any defenses against the claim or cause of action for loss of  
 27 consortium that would be available against the claim or cause of action  
 28 for wrongful death.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage and applicable to any civil action pending on or filed after October 6, 2015</i>	New section
Sec. 2	<i>from passage and applicable to any civil action pending on or filed after October 6, 2015</i>	New section
Sec. 3	<i>from passage and applicable to any civil action pending on or filed after October 6, 2015</i>	New section

**Statement of Purpose:**

To establish a cause of action for loss of consortium by a minor child with respect to the death of a parent in a manner that is consistent with the Connecticut Supreme Court's decision in Campos v. Coleman, 319 C. 36 (2015).

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*