



General Assembly

January Session, 2017

**Raised Bill No. 932**

LCO No. 4536



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT ESTABLISHING A STATUTORY CAUSE OF ACTION FOR INJURY TO PERSON OR PROPERTY BASED ON NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS.***

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

1 Section 1. (NEW) (*Effective October 1, 2017, and applicable only to*  
2 *injuries first sustained on or after October 1, 2017*) (a) Any person injured  
3 in person or property as a result of the negligent act of another person  
4 may bring a civil action against the person who committed such  
5 negligent act to recover damages for infliction of emotional distress for  
6 injury to person or property when: (1) The person who committed  
7 such negligent act should have realized that such person's conduct  
8 involved an unreasonable risk of causing emotional distress to another  
9 person that might result in illness or bodily injury; (2) the person's  
10 negligent act caused emotional distress to another person; and (3) the  
11 distress caused to another person was reasonable in light of the  
12 negligent act.

13 (b) In any civil action brought under this section in which the  
14 plaintiff prevails, the court shall award damages and may, in its

15 discretion, award costs of such action and reasonable attorneys' fees.

16 (c) No action shall be brought under this section but within two  
17 years from the date of the act complained of.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017, and applicable only to injuries first sustained on or after October 1, 2017</i>	New section

**Statement of Purpose:**

To permit a person, injured in person or property as the result of the negligent act of another person, to bring a civil action against the person who committed such act to recover damages for negligent infliction of emotional distress.

*[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.]*