

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2510 Session of
2008

INTRODUCED BY J. WHITE, WAGNER, BRENNAN, FRANKEL, GOODMAN,
McGEEHAN, KOTIK, CALTAGIRONE, SWANGER, MELIO, BELFANTI AND
SIPTROTH, MAY 8, 2008

REFERRED TO COMMITTEE ON JUDICIARY, MAY 8, 2008

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 death action.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 8301 of Title 42 of the Pennsylvania
7 Consolidated Statutes is amended by adding subsections to read:

8 § 8301. Death action.

9 * * *

10 (c.1) Duty of judge or jury.--In awarding an amount of
11 damages under this subchapter, the judge or jury shall consider
12 all the facts and circumstances and provide an award based on
13 the facts and circumstances which shall compensate for the
14 injury resulting in the death.

15 (c.2) Determination of amount.--In determining the amount of
16 the award the judge or jury shall consider:

17 (1) Deprivation of expected pecuniary and nonpecuniary
18 benefits to beneficiaries that would have resulted from the

1 continued life of the deceased.

2 (2) Loss of contributions for support.

3 (3) Loss of parental, marital, familial and household
4 services, including, but not limited to:

5 (i) Loss of comfort and companionship.

6 (ii) Loss of industry.

7 (iii) Loss of care, training, advice and education.

8 (iv) The reasonable cost of providing for the care
9 of minor children.

10 (4) Reasonable funeral expenses not to exceed \$15,000.

11 (5) Mental anguish and grief resulting from the death of
12 a deceased person.

13 (c.3) Limitation.--Only one action for damages shall lie
14 with respect to the death of an individual listed in this
15 section.

16 * * *

17 Section 2. This act shall take effect in 60 days.