

Trayon White

Councilmember Trayon White, Sr.

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, title 16 of the District of Columbia Official Code in an action for personal injury or death caused by wrongful act, neglect, or default, estimations, measures, or calculations of past, present, or future damages for lost earnings or impaired earning capacity may not be reduced based on race, ethnicity, or gender.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Stormiyah Denson-Jackson Race and Gender Economic Damages Equality Emergency Amendment Act of 2020”.

Sec. 2. Title 16 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding after the phrase “28. Medical Malpractice.....16-2801” the phrase “28A. Economic damages for personal injury and wrongful death16-2871”.

(b) A new chapter 28A is added to read as follows:

“CHAPTER 28A

“ECONOMIC DAMAGES FOR PERSONAL INJURY AND WRONGFUL DEATH

“Section

“16-2871. Calculating economic damages; prohibitions.

27 “16-2782. Applicability.

28 “§ 16-2871. Calculating economic damages; prohibitions.

29 “In an action for personal injury or death caused by wrongful act, neglect, or default,
30 estimations, measures, or calculations of past, present, or future damages for lost earnings or
31 impaired earning capacity shall not be reduced based on race, ethnicity, or gender.

32 “§ 16-2872. Applicability.

33 “This chapter shall apply to all claims arising out of personal injury or death caused by
34 wrongful act, neglect, or default except for claims resolved by court order, jury verdict, or
35 settlement before the effective date of the Stormiyah Denson-Jackson Race and Gender
36 Economic Damages Equality Emergency Act of 2020, passed on emergency basis on July 7,
37 2020 (Bill 23-____).”.

38 Sec. 3. Fiscal impact statement.

39 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
40 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
41 October 16, 2006 (120 Stat. 2038; D.C. Official Code §1-301.47a).

42 Sec. 4. Effective date.

43 This act shall take effect following approval by the Mayor (or in the event of veto by the
44 84 Mayor, action by the Council to override the veto), and shall remain in effect for no longer
45 than 90 days, as provided for emergency acts of the Council of the District of Columbia in
46 section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87
47 Stat. 788; 87 D.C. Official Code § 1-204.12(a)).