

HB 1684 - AS INTRODUCED

2024 SESSION

24-2300

09/05

HOUSE BILL            ***1684***

AN ACT                relative to loss of consortium.

SPONSORS:           Rep. Hynes, Hills. 2

COMMITTEE:          Judiciary

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ANALYSIS

This bill expands the relationships eligible for potential loss of consortium damages.

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Explanation:        Matter added to current law appears in ***bold italics***.  
                         Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

## STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Four*

AN ACT                    relative to loss of consortium.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            1 Actions, Process, and Service of Process; Actions; Other Actions and Limitations on Liability.  
2 Amend RSA 507:8-a to read as follows:

3            507:8-a Loss of Consortium.

4            ***I. Loss of consortium means the loss of love, companionship, comfort, care,***  
5 ***assistance, protection, affection, society, and moral support, the loss of the enjoyment of***  
6 ***sexual relation of a spouse, or the loss of the ability to have children with a spouse.***

7            ***II.*** In a proper action, either a wife or husband is entitled to recover damages for loss or  
8 impairment of right of consortium whether caused intentionally or by negligent interference. Where  
9 fault on the part of the claimant or the claimant's spouse is found to have caused, in whole or in part,  
10 the injury to the spouse on which the claim for loss or impairment of consortium is based, damages  
11 recoverable shall be subject to diminution to the extent and in the manner provided for in RSA  
12 507:7-d.

13            ***III. In a proper action, a parent is entitled to recover damages for loss or***  
14 ***impairment of right of consortium whether caused intentionally or by negligent***  
15 ***interference. Where fault on the part of the claimant or the claimant's child is found to***  
16 ***have caused, in whole or in part, the injury to the parent on which the claim for loss or***  
17 ***impairment of consortium is based, damages recoverable shall be subject to diminution to***  
18 ***the extent and in the manner provided for in RSA 507:7-d.***

19            ***IV. In a proper action, a person is entitled to recover damages for loss or***  
20 ***impairment of right of consortium involving the death of that person's pet when caused***  
21 ***intentionally or recklessly. Where fault on the part of the claimant is found to have***  
22 ***caused, in whole or in part, the injury to the pet owner on which the claim for loss or***  
23 ***impairment of consortium is based, damages recoverable shall be subject to diminution to***  
24 ***the extent and in the manner provided for in RSA 507:7-d.***

25            2 Effective Date. This act shall take effect January 1, 2025.