

D.C. LAW 2-95

DISTRICT OF COLUMBIA GENERAL SURVIVAL OF TORT ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

August 2, 1978

To eliminate the bar against the recovery of damages for pain and suffering by the legal representative, administrator or executor of a deceased victim in tort actions, to eliminate the bar against recovery of damages for pain and suffering from the legal representative, administrator or executor of a deceased tort-feasor in tort actions, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "District of Columbia General Survival of Tort Actions Act".

Sec. 2. Section 12-101 of the District of Columbia Code is amended as follows:

(a) by deleting the words "action survives" and inserting in lieu thereof the word "action, for all such cases, survives"; and

(b) by deleting the second sentence.

Sec. 3. Section 20-1501 of the District of Columbia Code is amended as follows:

(a) by striking the designation "(a)" at the beginning of the first sentence thereof; and

(b) by deleting all of subsection (b).

Sec. 4. This act shall only apply with respect to all actions, proceedings and matters commenced in any administrative or judicial forum on or after the effective date of this act.

Sec. 5. This act shall take effect pursuant to the provisions of section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, effective December 24, 1973 (87 Stat. 814; D.C. Code, sec. 1-147(c)(1)).

Source

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act (P. L. 93-198), the Act, the Council of the District of Columbia adopted Bill No. 2-52, on first and second readings April 18, 1978 and May 2, 1978, respectively. Following expiration of the ten-day period provided the Mayor, in which no action was taken, pursuant to Section 404(e) of the Act, this legislation was assigned Act No. 2-199, published in the August 11, 1978, edition of the D.C. Register and transmitted to both Houses of Congress for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has expired and, therefore, cites the following legislation as D.C. 2-95, effective August 2, 1978.