

117TH CONGRESS
2D SESSION

S. 4034

To provide authorization for nonpecuniary damages in an action resulting from a cruise ship voyage occurring on the high seas.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2022

Mrs. FISCHER (for herself and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide authorization for nonpecuniary damages in an action resulting from a cruise ship voyage occurring on the high seas.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hammers’ Law”.

5 **SEC. 2. LIMITATIONS IN CERTAIN CASES.**

6 (a) IN GENERAL.—Section 30307 of title 46, United
7 States Code, is amended—

(1) in the section heading, by striking “**Commercial aviation accidents**” and inserting “**Limitations in certain cases**”;

(2) by striking subsection (a) and inserting the following:

“(a) DEFINITIONS.—In this section:

“(1) CRUISE SHIP.—The term ‘cruise ship’ means a passenger vessel, other than a vessel of the United States operated by the Federal Government or a vessel owned and operated by a State, that—

“(A) is authorized to carry at least 250 passengers;

“(B) has onboard sleeping facilities for each passenger;

“(C) is on a voyage that embarks or disembarks passengers in the United States; and

“(D) is not engaged on a coastwise voyage.

“(2) NONPECUNIARY DAMAGES.—The term ‘nonpecuniary damages’ means damages for loss of care, comfort, and companionship.”;

(3) in subsection (b), by inserting “or cruise ship voyage” after “commercial aviation”; and

(4) in subsection (c), by inserting “or cruise ship voyage” after “commercial aviation”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 303 of title 46, United States Code, is amend-
3 ed by striking the item relating to section 30307 and in-
4 serting the following:

“30307. Limitations in certain cases.”.

