

2017 -- H 5712

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE IN PARTICULAR  
ACTIONS - CONTRIBUTION AMONG JOINT TORTFEASORS

Introduced By: Representatives McEntee, McKiernan, Craven, Coughlin, and Keable

Date Introduced: March 01, 2017

Referred To: House Judiciary

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 10-6 of the General Laws entitled "Contribution Among Joint  
2 Tortfeasors" is hereby amended by adding thereto the following section:

3 **10-6-2.1. Liability for additional bodily harm; right of contribution for additional**  
4 **bodily harm.**

5 (a) If a negligent or intentionally tortious actor is liable for another's bodily injury, the  
6 tortious actor is also subject to liability for any additional bodily harm resulting from normal  
7 efforts of third persons in rendering aid which the other's injury reasonably requires, irrespective  
8 of whether such efforts are done in a proper or negligent manner.

9 (b) A tortfeasor who has discharged the common liability of tortfeasors and third persons  
10 rendering aid shall have a right of contribution from those third persons to the extent the latter's  
11 negligence caused additional bodily harm.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would provide that an original tortfeasor is liable for a victim's enhanced injury  
2 from negligent third-party treatment, subject to a right of contribution against a subsequent third  
3 person for the amount of the negligently enhanced injury.

4           This act would take effect upon passage.

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