

HOUSE BILL 834

By Lamberth

AN ACT to amend Tennessee Code Annotated, Title 20,  
relative to wrongful death actions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 20-5-106, is amended by deleting subsection (a) and substituting instead the following:

(a) The right of action that a person who dies from injuries received from another, or whose death is caused by the wrongful act, omission, or killing by another, would have had against the wrongdoer, in case death had not ensued, shall not abate or be extinguished by the person's death but shall pass to the person's personal representative, who shall recover for the benefit of the decedent's survivors and estate all damages caused by the injury resulting in death. Any funds recovered shall be free from the claims of creditors. A defense that would bar or reduce a survivor's recovery if the survivor were the plaintiff may be asserted against that survivor, but shall not affect the recovery of any other survivor.

SECTION 2. This act shall take effect July 1, 2019, the public welfare requiring it.