

# STATE OF NEW YORK

3888

2025-2026 Regular Sessions

## IN SENATE

January 30, 2025

Introduced by Sen. FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to the determination of damages in a civil action arising from personal injury or wrongful death

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as the "protect-  
2 ing rights in civil earnings determinations (P.R.I.C.E.D) act".

3 § 2. The civil practice law and rules is amended by adding a new  
4 section 5022 to read as follows:

5 § 5022. Determination of damages. 1. In any civil action arising from  
6 personal injury or wrongful death, any estimations, measures, or calcu-  
7 lations of damages for lost earnings or impaired earning capacity shall  
8 not be reduced because of age, race, creed, color, national origin,  
9 citizenship or immigration status, sexual orientation, gender identity  
10 or expression, military status, sex, disability, predisposing genetic  
11 characteristics, familial status, marital status, or status as a victim  
12 of domestic violence.

13 2. In any civil action arising from personal injury or wrongful death,  
14 any reduction of damages shall not be based upon statistical tables  
15 alone.

16 § 3. This act shall take effect immediately and shall apply to civil  
17 actions commenced on or after such effective date.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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