



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

Senator Hoylman-Sigal and Assembly Member Weinstein Reintroduce Grieving Families Act

BRAD HOYLMAN-SIGAL May 2, 2023

Passed with Bipartisan Support in 2022 but Vetoed by Governor

| Amended Bill Brings Justice and Accountability for Wrongful Death

NEW YORK - New York State Senator Brad Hoylman-Sigal (D/WFP-Manhattan) and Assembly Member Helene Weinstein (D-Queens) reintroduced the Grieving Families Act, landmark legislation that reforms and modernizes New York's nearly two century-old wrongful death statute. Last year, the Legislature passed the bill ([S.74-A of 2022](#)) by overwhelming bipartisan margins, but, unfortunately, Governor Hochul vetoed the bill.

The newly introduced bill responds to the governor's concerns by clarifying the bill's retroactive effect, limiting the types of damages that can be recovered, reducing the extension of the statute of limitations, and clearly defining who is a close family member eligible to recover.

New York's wrongful death statute was an innovative and groundbreaking policy - when it was enacted back in 1847. Since then, the law has barely changed despite technological changes like the automobile, new toxic chemicals, and semiautomatic firearms, improvements in medicine and forensics, and advances in societal understanding and appreciation of inherent human worth like the national abolition of slavery, the civil rights movement, and the introduction of women into the workforce.

Senator Hoylman-Sigal said: “New York is out of step with 47 other states’ wrongful death laws. We’ve denied countless family members the proper consideration for their loved ones since the current statute considers only economic loss. Courts are forced to discount the value of lives in wrongful death actions for those who aren’t breadwinners for their families, resulting in a disproportionate negative impact on people of color, women, children, seniors and New Yorkers with disabilities. We’ve responded to the governor’s concerns and will pass the Act again this session.”

Assembly Member Weinstein said: “Since 1994, when I first introduced this bill, I have been fighting for justice for families who have had loved ones wrongfully taken from them. And, with the introduction of this new version of the Grieving Families Act, I will not give up in trying to persuade the Governor that enacting this bill is the right thing to do for families, seniors, children, homemakers, and indeed all New Yorkers.”

Senator Cordell Cleare said: “I am proud of my colleague and friend, Senator Brad Hoylman-Sigal, for reintroducing The Grieving Families Act. This bill provides justice, equity and empowerment to individuals, families and communities that not only need it--but deserve it! It is high time that we modernized our statutes to recognize the inherent worth, dignity and incalculable value of all persons. Let's get it done, again!”

David Pucino, Deputy Chief Counsel of Giffords Law Center to Prevent Gun Violence, said: “For too long, New York law has placed outdated limits on wrongful death lawsuits. This has meant that families who are mourning the loss of a loved one are blocked from meaningful compensation, to the benefit of those who are responsible for the wrongful death. No amount of money can make these families whole, but the Grieving Families Act will make sure they at least receive the compensation to which they are entitled, and that those responsible cannot avoid full accountability.”

Rebecca Fischer, Executive Director of New Yorkers Against Gun Violence, said: “The families who are left behind, emotionally traumatized by horrific gun violence like the Tops shooting in Buffalo, deserve to have their pain matter. We look forward to working with the legislature to fix our broken wrongful death law and allow more victims the chance to seek justice.”

Charlene Obernauer, Executive Director of the New York Committee for Occupational Safety and Health (NYCOSH), said: “Our current wrongful death statute puts low-income workers in danger by shielding employers from consequences when they fail to make worksites safe. The Grieving Families Act will ensure justice for families of workers regardless of their income, race, gender or age.”

Deb Antoniades, a volunteer with the New York chapter of Moms Demand Action, said: “As we approach the one year mark of the Buffalo mass shooting, we are reminded of the many families whose suffering was compounded by New York’s outdated laws, which limit their ability to hold those responsible for the loss of their loved ones accountable in court. We applaud the Senate for introducing legislation that will support survivors of the Buffalo mass shooting and all gun violence tragedies in their pursuit of Justice, and we look forward to partnering with them to get this bill passed.”

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