

1 H.543

2 Introduced by Representative Goodnow of Brattleboro

3 Referred to Committee on

4 Date:

5 Subject: Court procedure; negligence actions; post-traumatic stress disorder

6 Statement of purpose of bill as introduced: This bill proposes to permit a

7 diagnosis of post-traumatic stress disorder to satisfy the requirement in

8 negligence actions that the plaintiff show actual injury.

9 An act relating to negligence actions and post-traumatic stress disorder

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. PURPOSE

12 The purpose of this act is to overrule the Vermont Supreme Court's

13 decision in *Zeno-Etheridge v. Comcast Corp.*, 219 Vt. 121 (2024) and permit a

14 post-traumatic stress disorder diagnosis to satisfy the required element of a

15 negligence claim that the plaintiff show actual injury.

16 Sec. 2. 12 V.S.A. § 1036a is added to read:

17 § 1036a. NEGLIGENCE; ACTUAL INJURY; POST-TRAUMATIC STRESS

18 DISORDER

1 In any civil action, the required element in a negligence claim of actual
2 injury to the plaintiff may be satisfied by a diagnosis of post-traumatic stress
3 disorder.

4 Sec. 3. EFFECTIVE DATE

5 This act shall take effect on passage.