

AMENDED IN SENATE MAY 15, 2012
AMENDED IN SENATE APRIL 30, 2012

SENATE BILL

No. 1528

Introduced by Senator Steinberg

February 24, 2012

An act to add Section 3284 to the Civil Code, relating to damages.

LEGISLATIVE COUNSEL'S DIGEST

SB 1528, as amended, Steinberg. Damages: medical services.

Existing law establishes, as a general rule, that compensation is the relief or remedy provided by law for a violation of private rights. Existing law provides that a person suffering detriment from the unlawful act or omission of another may recover damages from the person at fault.

This bill would express the intent of the Legislature to establish a framework for compensating persons with injuries due to the fault of 3rd parties. *The bill would also specify that when a person is compensated for an injury due to the fault of another, the lien rights and other rights of the parties provided in specified provisions shall be maintained.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3284 is added to the Civil Code, to read:
- 2 3284. (a) It is the intent of the Legislature to establish a
- 3 framework for compensating persons with injuries due to the fault
- 4 of third parties.

1 ~~(b) Nothing in this section abrogates the lien rights provided~~
2 ~~for in Sections 3040 and 3045.1 of this code, or Section 14124.791~~
3 ~~of the Welfare and Institutions Code. This section shall have no~~
4 ~~effect on the rights of parties under Section 3333.1 of this code or~~
5 ~~of public entities under Section 985 of the Government Code.~~
6 *(b) When a person is compensated for an injury due to the fault*
7 *of another, the lien rights provided for in Sections 3040 and 3045.1*
8 *of this code and the rights of the parties under Section 3333.1 of*
9 *this code or of public entities under Section 985 of the Government*
10 *Code shall be maintained.*