


Government of the District of Columbia
Office of the Chief Financial Officer



Fitzroy Lee
Acting Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Fitzroy Lee
Chief Financial Officer 

DATE: July 1, 2022

SUBJECT: Fiscal Impact Statement – Stormiyah Denson-Jackson Economic Damages Equity Act of 2022

REFERENCE: Bill 24-61, Committee Print as provided to the Office of Revenue Analysis on March 15, 2022

Conclusion

Funds are sufficient in the fiscal year 2022 budget and fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

Background

Civil damages awarded for personal injury or wrongful death may include awards for economic damages caused by past, present, or future lost earnings or impaired earning capacity. Judges and juries may rely on experts who use actuarial methods to estimate lost earnings, using factors such as age, education, geographic location, gender, race, occupation, and health. The bill prohibits¹ the reduction of past, present, and future earnings estimates based on actual or perceived race, color, religion, national origin, sex, sexual orientation, or gender identity or expression.

Financial Plan Impact

Funds are sufficient in the fiscal year 2022 budget and fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the bill.

The bill will apply to all civil actions and judgments in the District but it would only potentially impact District finances in cases where the District government is the defendant. Updating the method by

¹ By amending Title 16 of the District of Columbia Official Code.

The Honorable Phil Mendelson

FIS: Bill 24-61, "Stormiyah Denson-Jackson Economic Damages Equity Act of 2022," Committee Print as provided to the Office of Revenue Analysis on March 15, 2022

which damages are calculated in civil judgments may increase the costs of personal injury or wrongful death court judgements paid by the District, but there is no estimate of the degree to which the cost may increase since it is unknown what court actions will be brought against the District in the future.

Injured individuals can also file tort liability claims against the District of Columbia for personal injury through the Office of Risk Management's Tort Liability Program. The Tort Liability Program already does not use race, color, religion, national origin, sex, sexual orientation, or gender identity or expression when resolving tort liability claims. Similarly to the civil judgments, there is no estimate for the tort liability claims because it is unknown what tort liability claims will be brought against the District.