

CHAPTER 285  
FORMERLY  
HOUSE BILL NO. 254  
AS AMENDED BY  
HOUSE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO COURTS AND JUDICIAL PROCEDURE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 43, Title 10 of the Delaware Code by adding a new Subchapter IV as shown by underline as follows:

§ 4335. Economic Expert Opinion on the Amount of Future Lost Wages and/or Future Medical Expenses.  
In any case before a Delaware Court where there is a dispute over the economic amount a party owes another party for future lost wages and/or future medical expenses, there shall be a rebuttable presumption that the inflation rate for future lost wages and/or future medical expenses is equal to the economic discount rate. No party shall be required to present an economic expert witness opinion to a jury or court for the purpose of having the present value of the economic amount of a party's claim for either future lost wages and/or future medical expenses introduced into evidence. However, no party is precluded from presenting admissible expert witness opinion to a jury or court for the purposes of having the present value of the economic amount of a party's claim for either future lost wages or future medical expenses introduced into evidence, or to oppose the present value of the economic amount of a party's claim for either future lost wages or future medical expenses. A Delaware court shall have the discretion in any case to order *sua sponte* or for good cause shown that a party shall be required to present economic expert opinion evidence on the present value of the economic amount that a party is owed by another party for future lost wages and/or future medical expenses.

Section 2. This act shall be effective the day it is enacted into law, and shall apply to all cases filed in a court on or after the day the Act is enacted into law.

Approved July 01, 2014