

(2) A parent may not be a beneficiary in a wrongful death action for the death of a child of the parent if:

(i) 1. The parent is convicted under Article 27, § 35C, § 335, § 462, § 463, § 464, § 464A, § 464B, or § 464C of the Code; or

2. The parent committed an act prohibited under Article 27, § 35C, § 335, § 462, § 463, § 464, § 464A, § 464B, or § 464C of the Code;

(ii) The other parent of the child is the victim of the crime or act described under item (i) of this paragraph; and

(iii) The other parent of the child is a child of the parent.

(3) (I) AN ACTION UNDER THIS SUBTITLE FOR THE WRONGFUL DEATH OF A CHILD CAUSED BY THE PARENT OF THE CHILD ALLOWED UNDER THE PROVISIONS OF § 5-806 OF THIS ARTICLE MAY NOT BE FOR THE BENEFIT OF THAT PARENT OF THE DECEASED CHILD.

(II) AN ACTION UNDER THIS SUBTITLE FOR THE WRONGFUL DEATH OF A PARENT CAUSED BY A CHILD OF THE PARENT ALLOWED UNDER THE PROVISIONS OF § 5-806 OF THIS ARTICLE MAY NOT BE FOR THE BENEFIT OF THAT CHILD OF THE DECEASED PARENT.

5-806.

(A) THIS SECTION APPLIES TO:

(1) AN ACTION BY AN UNEMANCIPATED CHILD AGAINST A PARENT OF THE CHILD; AND

(2) AN ACTION BY A PARENT AGAINST AN UNEMANCIPATED CHILD OF THE PARENT.

(B) THE RIGHT OF ACTION BY A PARENT OR THE ESTATE OF A PARENT AGAINST A CHILD OF THE PARENT, OR BY A CHILD OR THE ESTATE OF A CHILD AGAINST A PARENT OF THE CHILD, FOR WRONGFUL DEATH, PERSONAL INJURY, OR PROPERTY DAMAGE ARISING OUT OF THE OPERATION OF A MOTOR VEHICLE, AS DEFINED IN TITLE 11 OF THE TRANSPORTATION ARTICLE, MAY NOT BE RESTRICTED BY THE DOCTRINE OF PARENT-CHILD IMMUNITY OR BY ANY INSURANCE POLICY PROVISIONS, UP TO THE LIMITS OF MOTOR VEHICLE LIABILITY COVERAGE OR UNINSURED MOTORIST COVERAGE MANDATORY MINIMUM LIABILITY COVERAGE LEVELS REQUIRED BY § 17-103(B) OF THE TRANSPORTATION ARTICLE.

SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this Act shall apply to any case for wrongful death, personal injury, or property damage arising out of the operation of a motor vehicle filed on or after the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2001.

Approved April 20, 2001.