

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

Senate Bill 607 (Senator Stone)
(Task Force to Examine Maryland's Crime Victims' Rights Laws)
Judicial Proceedings

Wrongful Death Actions

This bill provides that in a wrongful death action for the death of an adult (including an emancipated minor), the deceased person's spouse, minor children and parents (if the deceased person was unmarried, under 21 years old or had 50% or more parental support) are entitled to noneconomic damages. If no one qualifies for noneconomic damages in such an action, the deceased person's parents and adult children are entitled to noneconomic damages. In a wrongful death action for the death of a minor, the deceased person's parents or minor children are entitled to noneconomic damages.

The bill provides that the damages awarded for the death of an adult child or parent of an adult child are not limited or restricted by the "pecuniary loss" or "pecuniary benefit" rule. Persons substantially dependent upon the deceased, and related to the deceased by blood or marriage, may also be entitled to noneconomic damages in a wrongful death action under specified circumstances.

The bill is applied prospectively.

Fiscal Summary

State Effect: None. Since the bill would not impact the volume of wrongful death actions, governmental finances would not be directly affected.

Local Effect: None.

Small Business Effect: None. The bill would not directly affect small businesses.

Information Source(s): Department of Fiscal Services

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