

3-904.

(a) An action under this subtitle shall be for the benefit of the wife, husband, parent, and child of the deceased person.

(b) If there are no persons who qualify under subsection (a), an action shall be for the benefit of any person related to the deceased person by blood or marriage who was wholly dependent upon the deceased.

(c) In an action under this subtitle, damages may be awarded to the beneficiaries proportioned to the injury resulting from the wrongful death. The amount recovered shall be divided among the beneficiaries in shares directed by the verdict.

(d) For the death of a spouse or minor child, the damages awarded under subsection (c) are not limited or restricted by the "pecuniary loss" or "pecuniary benefit" rule but may include damages for mental anguish, emotional pain and suffering, loss of society, companionship, comfort, protection, marital care, parental care, filial care, attention, advice, counsel, training, guidance, or education where applicable.

(e) Only one action under this subtitle lies in respect to the death of a person.

(f) An action under this subtitle shall be filed within three years after the death of the injured person.

(G) FOR THE PURPOSES OF THIS SECTION, A PERSON BORN TO PARENTS WHO HAVE NOT PARTICIPATED IN A MARRIAGE CEREMONY WITH EACH OTHER IS CONSIDERED TO BE THE CHILD OF HIS MOTHER. HE IS CONSIDERED TO BE THE CHILD OF HIS FATHER ONLY IF HIS FATHER (1) HAS BEEN JUDICIALLY DETERMINED TO BE THE FATHER IN A PROCEEDING BROUGHT UNDER SECTION 66E OF ARTICLE 16, OR (2) PRIOR TO THE DEATH OF THE CHILD, (A) has acknowledged himself in writing, to be the father, or [(3)] (B) has openly and notoriously recognized the person to be his child, or [(4)] (C) has subsequently married the mother and has acknowledged himself, orally or in writing, to be the father.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1974[[.]], and shall apply to