

- (i) Has acknowledged himself, in writing, to be the father;
- (ii) Has openly and notoriously recognized the person to be his child; or
- (iii) Has subsequently married the mother and has acknowledged himself, orally or in writing, to be the father.

~~(4) THIS SECTION DOES NOT APPLY TO A PARENT WHO HAS BEEN CONVICTED OF SEXUAL ABUSE OF A CHILD OF THAT PARENT UNDER ARTICLE 27, § 35C OF THE CODE.~~

**Article - Estates and Trusts**

3-111.

~~SECTION 3-104 OF THIS SUBTITLE DOES NOT APPLY TO A PARENT WHO HAS BEEN CONVICTED OF SEXUAL ABUSE OF A CHILD OF THAT PARENT UNDER ARTICLE 27, § 35C OF THE CODE.~~

A SURVIVING PARENT IS NOT ENTITLED UNDER § 3-104 OF THIS SUBTITLE TO A DISTRIBUTION OF THE NET ESTATE OF A CHILD OF THE PARENT IF:

(1) (I) THE PARENT IS CONVICTED UNDER ARTICLE 27, § 35C, § 335, § 462, § 463, § 464, § 464A, § 464B, OR § 464C OF THE CODE; OR

(II) THE PARENT COMMITTED ANY ACT PROHIBITED UNDER ARTICLE 27, § 35C, § 335, § 462, § 463, § 464, § 464A, § 464B, OR § 464C OF THE CODE;

(2) THE OTHER PARENT OF THE CHILD IS THE VICTIM OF THE CRIME OR ACT DESCRIBED UNDER ITEM (1) OF THIS SUBSECTION; AND

(3) THE OTHER PARENT OF THE CHILD IS A CHILD OF THE PARENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed retroactively and shall be applied to and interpreted to affect a claim for damages in an action for wrongful death or for rights in an intestate estate, of a child whose death occurred on or after August 1, 1998.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved May 27, 1999.