

~~(II) THE INDIVIDUAL DID NOT USE A CONTROLLED DANGEROUS SUBSTANCE WITHIN THE 6 MONTHS BEFORE FILING THE ACTION, AND~~

~~(III) THE INDIVIDUAL REMAINS FREE OF THE USE OF A CONTROLLED DANGEROUS SUBSTANCE THROUGHOUT THE PENDENCY OF THE ACTION.~~

3-1604.

A PERSON ENTITLED TO BRING A CIVIL ACTION UNDER THIS SUBTITLE MAY SEEK DAMAGES FROM A DEFENDANT ~~WHO MANUFACTURED, DISTRIBUTED, DISPENSED, OR BROUGHT INTO OR TRANSPORTED IN THE STATE:~~

~~(1) THE CONTROLLED DANGEROUS SUBSTANCE THAT WAS ACTUALLY USED BY THE INDIVIDUAL USER; OR~~

~~(2) A CONTROLLED DANGEROUS SUBSTANCE OF THE SAME TYPE THAT WAS USED BY THE INDIVIDUAL USER, IF THE DEFENDANT'S ACTION OCCURRED AT THE SAME TIME AND IN THE SAME COUNTY IN WHICH THE USE OCCURRED DESCRIBED IN § 3-1602 OF THIS SUBTITLE IF THE CONTROLLED DANGEROUS SUBSTANCE MANUFACTURED, DISTRIBUTED, DISPENSED, BROUGHT INTO, OR TRANSPORTED IN THE STATE BY THE DEFENDANT WAS ACTUALLY USED BY, AND WAS THE PROXIMATE CAUSE OF THE DEATH OF, AN INDIVIDUAL.~~

3-1605.

A LAW ENFORCEMENT OFFICER WHO ACTS IN FURTHERANCE OF AN OFFICIAL INVESTIGATION OR A PERSON WHO ACTS AT THE DIRECTION OR IN COOPERATION WITH A LAW ENFORCEMENT OFFICER IN AN OFFICIAL INVESTIGATION IS NOT LIABLE UNDER THIS SUBTITLE.

3-1606.

A PERSON ENTITLED TO BRING A CIVIL ACTION UNDER THIS SUBTITLE MAY RECOVER ANY OR ALL OF THE FOLLOWING:

~~(1) ECONOMIC DAMAGES, INCLUDING THE COST OF TREATMENT AND REHABILITATION, MEDICAL EXPENSES, LOSS OF ECONOMIC OR EDUCATIONAL POTENTIAL, LOSS OF PRODUCTIVITY, ABSENTEEISM, SUPPORT EXPENSES, ACCIDENTS OR INJURY, AND ANY OTHER PECUNIARY LOSS SUSTAINED BY THE PLAINTIFF THAT WAS PROXIMATELY CAUSED BY THE DEATH OF AN INDIVIDUAL FROM THE INDIVIDUAL'S UNLAWFUL USE OF A CONTROLLED DANGEROUS SUBSTANCE; AND~~

~~(2) NONECONOMIC DAMAGES, INCLUDING PHYSICAL AND EMOTIONAL PAIN AND SUFFERING, PHYSICAL IMPAIRMENT, EMOTIONAL DISTRESS, MENTAL ANGUISH, DISFIGUREMENT, LOSS OF ENJOYMENT, LOSS OF COMPANIONSHIP, SERVICES AND CONSORTIUM, AND OTHER NONPECUNIARY LOSSES LOSS SUSTAINED BY THE PLAINTIFF THAT WAS PROXIMATELY CAUSED BY AN THE DEATH OF AN INDIVIDUAL FROM THE INDIVIDUAL'S UNLAWFUL USE OF A CONTROLLED DANGEROUS SUBSTANCE; OR~~