

**SHB 1873** - H AMD TO H AMD 407 (1873-S AMH LANT ADAM 051) **440**  
By Representative Walsh

**ADOPTED 3/14/2007**

1 On page 1, beginning on line 8 of the amendment, after "so  
2 caused." strike all matter through "death)." on line 12 and insert  
3 the following:

4 "If there ~~((be))~~ is no ~~((wife or husband))~~ spouse or ~~((such))~~  
5 child ~~((or children, such))~~, the action may be maintained for the  
6 benefit of the deceased person's: (1) parents~~((r))~~ who are  
7 dependent upon the deceased person for support; (2) parents who  
8 have regularly contributed to the support of the deceased person if  
9 the deceased person had a developmental disability as defined in  
10 RCW 71A.10.020; or (3) sisters or brothers~~((r))~~ who ~~((may be))~~ are  
11 dependent upon the deceased person for support ~~(( , and who are~~  
12 resident within the United States at the time of his death))."

13 Beginning on page 2, line 38 of the amendment, after "~~((, or~~  
14 if))." strike all material through "death)." on page 3, line 5 and  
15 insert the following:

16 "If there is no surviving spouse~~((, in favor of such child))~~ or  
17 children, ~~((or if no surviving spouse or such child or children,~~  
18 then)) the action may be brought in favor of the decedent's: (1)  
19 parents~~((r))~~ who are dependent upon the decedent for support; (2)  
20 parents who have regularly contributed to the support of the  
21 decedent if the decedent had a developmental disability as defined  
22 in RCW 71A.10.020; or (3) sisters or brothers who ~~((may be))~~ are  
23 dependent upon ~~(( such person))~~ the decedent for support~~((, and~~  
24 resident in the United States at the time of decedent's death))."

25 On page 3, beginning on line 15 of the amendment, strike all of  
26 subsection (1) and insert the following:

27 "(1) A ~~((mother or father, or both,))~~ parent who has regularly  
28 contributed to the support of his or her ~~((minor))~~ child who is  
29 under the age of twenty-six or his or her child with a

1 developmental disability as defined in RCW 71A.10.020, (~~and the~~  
2 ~~mother or father, or both, of a child on whom either, or both,~~  
3 ~~are~~) or a parent who is dependent upon a child for support may  
4 maintain or join (~~as a party~~) an action as plaintiff for the  
5 injury or death of the child."

**EFFECT:** Provides that a parent of a child with a developmental disability may recover damages under the wrongful death and survival statutes for the wrongful death or injury of the child if the parent regularly contributed to the support of the child.