

## No. 1995-46

## AN ACT

## SB 653

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for wrongful death actions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 8301(a) of Title 42 of the Pennsylvania Consolidated Statutes is amended to read:

§ 8301. Death action.

(a) General rule.—An action may be brought, under procedures prescribed by general rules, to recover damages for the death of an individual caused by the wrongful act or neglect or unlawful violence or negligence of another if no **[action for damages was brought by the injured individual during his lifetime.]** *recovery for the same damages claimed in the wrongful death action was obtained by the injured individual during his lifetime and any prior actions for the same injuries are consolidated with the wrongful death claim so as to avoid a duplicate recovery.*

\* \* \*

Section 2. This act shall apply to a cause of action that accrues on or after the effective date of this act.

Section 3. This act shall take effect in 60 days.

APPROVED—The 6th day of July, A.D. 1995.

THOMAS J. RIDGE