
By: Delegates Vallario and Valderrama

Introduced and read first time: February 12, 1996

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 5, 1996

CHAPTER ____

1 AN ACT concerning

2 **Estates and Trusts - First Notices - ~~Ordinary~~ First Class Mail**

3 FOR the purpose of repealing the requirement that certain first notices be deposited as
4 restricted delivery mail; establishing that certain first notices are sufficient if
5 deposited as ~~ordinary~~ first class mail; authorizing the orphans' court to require or a
6 personal representative to elect to have certain first notices delivered by restricted
7 delivery mail at the expense of the estate; and generally relating to required notices
8 under the Estates and Trusts Article.

9 BY repealing and reenacting, with amendments,
10 Article - Estates and Trusts
11 Section 1-103(a) and (b)
12 Annotated Code of Maryland
13 (1991 Replacement Volume and 1995 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Estates and Trusts**

17 1-103.

18 (a) (1) Unless personal service or some other method of notice is expressly
19 required in this article or by the Maryland Rules, the first notice required [or permitted]
20 to be given a person is sufficient if deposited as [restricted delivery mail] ~~ORDINARY~~
21 FIRST CLASS MAIL, postage prepaid, [return receipt requested,] addressed to the
22 addressee at the address last known to the SENDER [sender, with delivery restricted to
23 the addressee].

1 (2) AT THE EXPENSE OF THE ESTATE, THE ORPHANS' COURT MAY
2 REQUIRE OR THE PERSONAL REPRESENTATIVE MAY ELECT TO HAVE THE FIRST
3 NOTICE GIVEN BY RESTRICTED DELIVERY MAIL, POSTAGE PREPAID, RETURN
4 RECEIPT REQUESTED, ADDRESSED TO THE ADDRESSEE AT THE ADDRESS LAST
5 KNOWN TO THE SENDER, WITH DELIVERY RESTRICTED TO THE ADDRESSEE.

6 (b) A subsequent notice is sufficient if deposited as [ordinary] FIRST CLASS
7 mail, postage prepaid, addressed to the same address at which the firstnotice was
8 received, as evidenced by return through the post office of the returnreceipt for the
9 notice,] or, after notice in writing from the addressee of a change of address, to his new
10 address.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 July 1, 1996.