

SENATE BILL 137

N2, E1

9lr0444
CF HB 48

By: **Senator Glassman**

Introduced and read first time: January 19, 2009

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Intentional Destruction of Will**

3 FOR the purpose of making it a misdemeanor to intentionally destroy a will of another
4 without authorization in writing by the testator of the will; establishing
5 penalties for a violation of this Act; establishing that it is not a defense to a
6 charge of a violation of this Act that the defendant believed that the destroyed
7 will was invalid; and generally relating to the intentional destruction of wills.

8 BY adding to

9 Article - Estates and Trusts

10 Section 4-204

11 Annotated Code of Maryland

12 (2001 Replacement Volume and 2008 Supplement)

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

15 **Article - Estates and Trusts**

16 **4-204.**

17 (A) **A PERSON MAY NOT INTENTIONALLY DESTROY A WILL OF ANOTHER**
18 **WITHOUT AUTHORIZATION IN WRITING BY THE TESTATOR OF THE WILL.**

19 (B) **A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A**
20 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT**
21 **EXCEEDING 1 YEAR OR A FINE NOT EXCEEDING \$1,000 OR BOTH.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (C) IT IS NOT A DEFENSE TO A CHARGE OF A VIOLATION OF THIS
2 SECTION THAT THE DEFENDANT BELIEVED THAT THE DESTROYED WILL WAS
3 INVALID.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2009.