

## Article - Estates and Trusts

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§9–210.

- (a) A disclaimer is barred by a written waiver of the right to disclaim.
- (b) A disclaimer of an interest in property is barred if any of the following occurs before the disclaimer becomes effective:
  - (1) The disclaimant accepts the interest sought to be disclaimed;
  - (2) The disclaimant voluntarily assigns, conveys, encumbers, pledges, or transfers the interest sought to be disclaimed or contracts to do so; or
  - (3) A judicial sale of the interest sought to be disclaimed occurs.
- (c) A disclaimer in whole or in part of the future exercise of a power held in a fiduciary capacity is not barred by its previous exercise.
- (d) A disclaimer in whole or in part of the future exercise of power not held in a fiduciary capacity is not barred by its previous exercise unless the power is exercisable in favor of the disclaimant.
- (e) A disclaimer is barred or limited if so provided by law other than this subtitle.
- (f)
  - (1) A disclaimer of a power over property that is barred by this section is ineffective.
  - (2) A disclaimer of an interest in property that is barred by this section takes effect as a transfer of the interest disclaimed to the persons who would have taken the interest under this subtitle had the disclaimer not been barred.

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