

HOUSE BILL 491

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8lr2021
CF SB 267

By: **Delegates West and Hettleman**

Introduced and read first time: January 25, 2018

Assigned to: Health and Government Operations

Committee Report: Favorable

House action: Adopted

Read second time: February 28, 2018

CHAPTER _____

1 AN ACT concerning

2 **Estates and Trusts – Maryland Trust Act – Governing Law of Trust Provisions**

3 FOR the purpose of providing for the determination of the jurisdictional law governing the
4 meaning and effect of the terms of a trust under the Maryland Trust Act; and
5 generally relating to the Maryland Trust Act.

6 BY adding to

7 Article – Estates and Trusts

8 Section 14.5–107

9 Annotated Code of Maryland

10 (2017 Replacement Volume)

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

13 **Article – Estates and Trusts**

14 **14.5–107.**

15 **THE MEANING AND EFFECT OF THE TERMS OF A TRUST ARE DETERMINED BY:**

16 **(1) THE LAW OF THE JURISDICTION DESIGNATED IN THE TERMS**
17 **UNLESS THE DESIGNATION OF THAT JURISDICTION’S LAW IS CONTRARY TO A**
18 **STRONG PUBLIC POLICY OF THE JURISDICTION HAVING THE MOST SIGNIFICANT**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 RELATIONSHIP TO THE MATTER AT ISSUE; OR

2 (2) IN THE ABSENCE OF A CONTROLLING DESIGNATION IN THE TERMS
3 OF THE TRUST, THE LAW OF THE JURISDICTION HAVING THE MOST SIGNIFICANT
4 RELATIONSHIP TO THE MATTER AT ISSUE.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.