

HOUSE BILL 326

N2

4lr2093
CF SB 80

By: **Delegate Cardin**

Introduced and read first time: January 15, 2024

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 26, 2024

CHAPTER _____

1 AN ACT concerning

2 **Estates and Trusts – Appointment of Personal Representative – Objections**

3 FOR the purpose of authorizing only an interested person or unpaid claimant, rather than
4 any person, to file an objection to the appointment of a personal representative of an
5 estate of a decedent; and generally relating to personal representatives.

6 BY repealing and reenacting, with amendments,
7 Article – Estates and Trusts
8 Section 7–103
9 Annotated Code of Maryland
10 (2022 Replacement Volume and 2023 Supplement)

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 7–103.

15 (a) (1) After the appointment of a personal representative, the register shall
16 have a notice of the appointment published in a newspaper of general circulation in the
17 county of appointment once a week in 3 successive weeks, announcing the appointment and
18 address of the personal representative, and notifying creditors of the estate to present their
19 claims.

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 (2) The personal representative shall file or have filed with the register a
2 certification that a notice has been published.

3 (b) The notice of appointment shall be substantially in the following form:

4 "To all persons interested in the estate of.....:

5 This is to give notice that the undersigned, whose address is was, on
6, appointed personal representative of the estate of who died on (with)
7 (without) a will.

8 [All persons having any objection to the appointment (or to the probate of the will of
9 the decedent) shall file the same with the register of wills on or before 6 months from the
10 date of the appointment.]

11 **ALL INTERESTED PERSONS OR UNPAID CLAIMANTS HAVING ANY OBJECTION**
12 **TO THE APPOINTMENT OF THE PERSONAL REPRESENTATIVE SHALL FILE THE SAME**
13 **WITH THE REGISTER OF WILLS ON OR BEFORE 6 MONTHS FROM THE DATE OF THE**
14 **APPOINTMENT.**

15 **ALL PERSONS HAVING ANY OBJECTION TO THE PROBATE OF THE WILL OF THE**
16 **DECEDENT SHALL FILE THE SAME WITH THE REGISTER OF WILLS ON OR BEFORE 6**
17 **MONTHS FROM THE DATE OF THE APPOINTMENT.**

18 All persons having claims against the decedent must present their claims to the
19 undersigned, or file them with the register of wills on or before the earlier of the following
20 dates:

21 (1) 6 months from the date of the decedent’s death; or

22 (2) 2 months after the personal representative mails or otherwise delivers
23 to the creditor a copy of this published notice or other written notice, notifying the creditor
24 that the creditor’s claim will be barred unless the creditor presents the claim within 2
25 months from the mailing or other delivery of the notice.

26 Any claim not filed on or before that date, or any extension provided by law, is
27 unenforceable thereafter.

28
29 Personal representative
30 Date of first publication:
31”.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2024.