

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE

House Bill 1122 (Delegate Finifter)  
Judiciary

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**Estates and Trusts - Attorney in Fact - Gifts**

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This bill authorizes an attorney in fact or agent to make gifts of the principal's property if a written power of attorney: (1) authorizes any act that the principal may do; or (2) evidences the principal's intent to give full power over their affairs or property. The bill limits and circumscribes the amount of a gift that attorneys or agents may make to themselves.

The bill also allows an attorney in fact or agent to petition a circuit court for authority to make gifts of the principal's property consistent with the express terms of the power of attorney or other writings. Relevant factors for consideration by the court are delineated.

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**Fiscal Summary**

**State Effect:** None. The bill would not substantively change governmental operations or finances.

**Local Effect:** None.

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**Information Source(s):** Judiciary (Administrative Office of the Courts), Office of the Comptroller, Registers of Wills, Department of Fiscal Services

**Fiscal Note History:** First Reader - February 14, 1996

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