
By: **Delegates Harrison, Kirk, C. Davis, and Branch**

Introduced and read first time: February 13, 1998

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Estates and Trusts - Insolvent Estates - Funeral Expenses**

3 FOR the purpose of altering the maximum amount that a court may allow for funeral
4 expenses under certain circumstances if the estate of a decedent is insolvent;
5 and generally relating to funeral expenses.

6 BY repealing and reenacting, with amendments,
7 Article - Estates and Trusts
8 Section 8-106(b)
9 Annotated Code of Maryland
10 (1991 Replacement Volume and 1997 Supplement)

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

13 **Article - Estates and Trusts**

14 8-106.

15 (b) Funeral expenses shall be allowed in the discretion of the court according
16 to the condition and circumstances of the decedent. In no event may the allowance
17 exceed [\$3,500] \$4,500 unless the estate of the decedent is solvent and a special order
18 of court has been obtained. If the estate is solvent and the will expressly empowers
19 the personal representative to pay the expenses without an order of court, an
20 allowance by the court is not required.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1998.