

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 514 (Delegates Valderrama and Vallario)

Judiciary

Estates and Trusts - Personal Representatives

This bill provides that in an action instituted by a personal representative against a tortfeasor for a wrong that resulted in the death of the decedent, the personal representative may recover administrative costs and reasonable attorney's fees for the administration of the decedent's estate (in addition to other damages recoverable in the action).

Fiscal Summary

State Effect: Potential minimal increase in general fund revenues. No effect on expenditures.

Local Effect: None.

Small Business Effect: None.

Fiscal Analysis

State Revenues: Because administrative costs and attorney's fees are ordinarily paid by an estate, recovery of such expenses would increase the size of the estate. A larger estate could result in a greater amount that is distributed to the heirs, which would increase inheritance tax revenues. For estates valued at \$625,000 or more, estate tax revenues would also increase (although inheritance taxes paid are credited against estate tax obligations).

Information Source(s): Register of Wills, Comptroller of the Treasury (Bureau of Revenue Estimates), Judiciary (Administrative Office of the Courts), Department of Legislative Services

Fiscal Note History:
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