
By: **Delegate Finifter**
Introduced and read first time: February 12, 1999
Assigned to: Judiciary

Committee Report: Favorable
House action: Adopted
Read second time: March 16, 1999

CHAPTER _____

1 AN ACT concerning

2 **Estates and Trusts - Reinstatement of Personal Representative**

3 FOR the purpose of providing for the reinstatement of a personal representative on a
4 dismissal or withdrawal of a request for judicial probate; providing for the
5 application of this Act; and generally relating to the reinstatement of a personal
6 representative on a dismissal or withdrawal of a request for judicial probate.

7 BY repealing and reenacting, with amendments,
8 Article - Estates and Trusts
9 Section 6-307
10 Annotated Code of Maryland
11 (1991 Replacement Volume and 1998 Supplement)

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

14 **Article - Estates and Trusts**

15 6-307.

16 (a) (1) The appointment of a personal representative who has been
17 appointed by administrative probate is terminated by a timely request for judicial
18 probate.

19 (2) The validity of an act performed by [him] THE PERSON as personal
20 representative is not affected by this termination.

1 (b) Subject to an order in the proceeding for judicial probate, a personal
2 representative appointed previously has the powers and duties of a special
3 administrator until the appointment of a personal representative in the judicial
4 probate proceeding.

5 (c) A person, whose appointment as a personal representative is terminated
6 by a request for judicial probate, may be reappointed.

7 (D) THE APPOINTMENT OF A PERSONAL REPRESENTATIVE IS REINSTATED ON
8 A DISMISSAL OR WITHDRAWAL OF A REQUEST FOR JUDICIAL PROBATE.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
10 construed only prospectively and may not be applied or interpreted to have any effect
11 on or application to a dismissal or withdrawal of a request for judicial probate that
12 occurs before the effective date of this Act.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 1999.