

Department of Legislative Services
Maryland General Assembly
1999 Session

FISCAL NOTE

House Bill 1125 (Delegates Gettv and Hecht)

Judiciary

Estates and Trusts - Right to Share of Intestate Net Estate, Right to Spousal Elective Share, Revocation of a Will, and Priority Right of Surviving Spouse - Pending Divorce

This emergency bill prohibits a surviving spouse from inheriting a share of the deceased spouse's estate either through a will or intestate succession if at the time of the testator's death a divorce proceeding, based on proof of excessively vicious conduct or cruelty of treatment by the surviving spouse, as evidenced by medical records or court orders, was pending.

Fiscal Summary

State Effect: Potential minimal effect on inheritance and estate tax (general fund) revenues. Expenditures would not be affected.

Local Effect: None.

Small Business Effect: None.

Information Source(s): Judiciary (Administrative Office of the Courts), Registers of Wills, Comptroller of the Treasury (Bureau of Revenue Estimates)

Fiscal Note History: First Reader - March 16, 1999

dmm/cer

Analysis by: Joanna Rooney

Direct Inquiries to:

John Rixey, Coordinating Analyst

(410) 946-5510

(301) 970-5510