

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL NO. 154
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Failure” insert “Abandonment or”; in the same line, strike “Pay Child”; in lines 2 and 3, strike “or Abandonment of Minor”; strike beginning with “by” in line 4 down through “time;” in line 7 and substitute “through a child if the parent has abandoned the child or willfully failed to pay child support for a certain period of time; establishing that a parent shall be deemed to have abandoned a child under certain circumstances; clarifying that the distribution of a decedent’s estate to the surviving parent or parents is subject to certain provisions of law; making a surviving parent of a decedent ineligible to be granted letters of administration or to be appointed as successor personal representative or a special administrator under certain circumstances;”; in line 11, strike “and (b)”; and after line 13, insert:

“BY repealing and reenacting, with amendments,

Article - Estates and Trusts

Section 3-104(b) and 5-104

Annotated Code of Maryland

(1991 Replacement Volume and 2000 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 10, strike “It” and substitute “SUBJECT TO §§ 3-111 AND 3-112 OF THIS SUBTITLE, IT”.

AMENDMENT NO. 3

On page 2, in lines 15 and 21, in each instance, strike “MINOR”.

AMENDMENT NO. 4

On page 2, in line 18, strike “ANY”; strike beginning with “IN” in line 18 down through “CHILD” in line 20 and substitute “FOR A PERIOD OF AT LEAST 2 YEARS DURING WHICH”.

(Over)

THE PARENT WAS REQUIRED TO PAY CHILD SUPPORT"; in line 23, after "PURPOSE" insert "TO"; and in the same line, strike "TO".

AMENDMENT NO. 5

On page 2, strike in their entirety lines 26 and 27 and substitute:

"5-104.

In granting letters in administrative or judicial probate, or in appointing a successor personal representative, or a special administrator as provided in Subtitle 4 of Title 6, the court and register shall observe the following order of priority, with any person in any one of the following paragraphs considered as a class:

- (1) The personal representatives named in a will admitted to probate;
- (2) The surviving spouse and children of an intestate decedent, or the surviving spouse of a testate decedent;
- (3) The residuary legatees;
- (4) The children of a testate decedent who are entitled to share in the estate;
- (5) The grandchildren of the decedent who are entitled to share in the estate;
- (6) [The] SUBJECT TO §§ 3-111 AND 3-112 OF THIS ARTICLE, THE parents of the decedent who are entitled to share in the estate;
- (7) The brothers and sisters of the decedent who are entitled to share in the estate;
- (8) Other relations of the decedent who apply for administration;
- (9) The largest creditor of the decedent who applies for administration;
- (10) Any other person having a pecuniary interest in the proper administration of

the estate of THE decedent who applies for administration; or

(11) Any other person.

SECTION 2. AND BE IT FURTHER ENACTED, That the provisions of this Act shall apply to any administrative and judicial probate proceedings instituted on or after October 1, 2001.”.