
By: **Senator Green**

Introduced and read first time: January 14, 2005

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Estates - Funeral Expenses - Allowance**

3 FOR the purpose of altering the maximum allowance for the funeral expenses of a
4 decedent; providing for the application of this Act; and generally relating to the
5 funeral expenses allowance for purposes of estate administration.

6 BY repealing and reenacting, with amendments,
7 Article - Estates and Trusts
8 Section 8-106(b)
9 Annotated Code of Maryland
10 (2001 Replacement Volume and 2004 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 [\$5,000] \$10,000 unless the estate of the decedent is solvent and a special
18 order of court has been obtained. If the estate is solvent and the will expressly
19 empowers the personal representative to pay the expenses without an order of court,
20 an allowance by the court is not required.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
22 construed to apply only prospectively and may not be applied or interpreted to have
23 any effect on or application to an estate of a decedent who dies before October 1, 2005.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2005.