

SENATE BILL 434

N2

71r2075

By: **Senator Frosh**

Introduced and read first time: February 2, 2007

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Estates and Trusts – Disclaimers**

3 FOR the purpose of establishing that creditors of a disclaimant have no interest in
4 property disclaimed under the Maryland Uniform Disclaimer of Property
5 Interests Act; altering a provision providing for the validity of a disclaimer that
6 is not filed, recorded, or registered; and generally relating to the Maryland
7 Uniform Disclaimer of Property Interests Act.

8 BY repealing and reenacting, with amendments,
9 Article – Estates and Trusts
10 Section 9–202(f) and 9–212(b)
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2006 Supplement)

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

15 **Article – Estates and Trusts**

16 9–202.

17 (f) **(1)** A disclaimer made under this subtitle is not a transfer,
18 assignment, or release.

19 **(2) CREDITORS OF THE DISCLAIMANT HAVE NO INTEREST IN THE**
20 **PROPERTY DISCLAIMED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 9-212.

2 (b) Failure to file, record, or register the disclaimer does not affect its
3 validity [as between the disclaimant and the persons to whom the property interest or
4 power passes by reason of the disclaimer].

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2007.