

# HOUSE BILL 399

N2

(9lr1953)

## **ENROLLED BILL**

—Judiciary/Judicial Proceedings—

Introduced by **Delegate Rosenberg**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ***Estates and Trusts – Jurisdiction of Orphans’ Court – Jurisdictional Limit –***  
3 ***Questions of Determination of Title to Personal Property***

4 FOR the purpose of ~~increasing the limit on the amount involved for jurisdiction of an~~  
5 ~~orphans’ court in the determination of questions of title to personal property~~  
6 *altering the maximum value of personal property for which an orphans’ court is*  
7 *authorized to determine questions of title for a certain purpose; providing for the*  
8 *application of this Act; and generally relating to the jurisdiction of an orphans’*  
9 ~~court under certain circumstances~~ *estates of decedents.*

10 BY repealing and reenacting, with amendments,

11 Article – Estates and Trusts

12 Section 1–301

13 Annotated Code of Maryland

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics* indicate opposite chamber committee amendments.

***Bold italics*** indicate conference committee amendments.



(2001 Replacement Volume and 2008 Supplement)

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

**Article – Estates and Trusts**

1–301.

(a) All property of a decedent shall be subject to the estates of decedents law, and upon the person's death shall pass directly to the personal representative, who shall hold the legal title for administration and distribution, without any distinction, preference, or priority as between real and personal property.

(b) The court may determine questions of title to personal property not exceeding [\$20,000] **\$50,000** in value for the purpose of determining what personal property is properly includable in an estate that is the subject of a proceeding before the court.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any probate proceeding commenced before the effective date of this Act.

~~SECTION 2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2009.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.