

HOUSE BILL 399

N2

9lr1953

By: **Delegate Rosenberg**

Introduced and read first time: February 2, 2009

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 24, 2009

CHAPTER _____

1 AN ACT concerning

2 **Orphans' Court – Jurisdictional Limit – Questions of Title to Personal**
3 **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 providing for the application of this Act; and generally relating to the
7 jurisdiction of an orphans' court under certain circumstances.

8 BY repealing and reenacting, with amendments,
9 Article – Estates and Trusts
10 Section 1–301
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2008 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 1–301.

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

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.



(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:

Governor.

Speaker of the House of Delegates.

President of the Senate.