

SENATE BILL 153

N2

9lr1153

By: **Senator Frosh**

Introduced and read first time: January 19, 2009

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: February 24, 2009

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of altering the maximum value of personal property for which an
5 orphans’ court is authorized to determine questions of title for a certain
6 purpose; providing for the application of this Act; and generally relating to the
7 estates of decedents.

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.



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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.