

# HOUSE BILL 443

Q7

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By: **Delegates Ivey, Vallario, Bartlett, Cardin, Elmore, Frick, George, Gilchrist, Howard, Kaiser, Murphy, Myers, Olszewski, Rice, Shank, Stukes, F. Turner, and Walker**

Introduced and read first time: January 29, 2010

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2010

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Inheritance Tax – Exemption – Surviving Spouses of Predeceasing**  
3 **Descendants**

4 FOR the purpose of providing an exemption from the inheritance tax for certain  
5 property that passes from a decedent to or for the use of a surviving spouse of a  
6 deceased child or of a deceased lineal descendant of a child of the decedent  
7 under certain circumstances; altering a certain definition; providing for the  
8 application of this Act; and generally relating to an exemption from the  
9 inheritance tax for certain property that passes from a decedent to or for the use  
10 of a surviving spouse of a deceased child or a deceased lineal descendant of a  
11 child of the decedent.

12 BY repealing and reenacting, with amendments,  
13 Article – Tax – General  
14 Section 7–203(b)  
15 Annotated Code of Maryland  
16 (2004 Replacement Volume and 2009 Supplement)

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

19 **Article – Tax – General**

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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.



1 7-203.

2 (b) (1) (i) In this subsection the following words have the meanings  
3 indicated.

4 (ii) "Child" includes a stepchild or former stepchild.

5 (iii) "Parent" includes a stepparent or former stepparent.

6 **(IV) "SURVIVING SPOUSE" MEANS A SURVIVING SPOUSE**  
7 **WHO HAS NOT REMARRIED.**

8 (2) The inheritance tax does not apply to the receipt of property that  
9 passes from a decedent to or for the use of:

10 (i) a grandparent of the decedent;

11 (ii) a parent of the decedent;

12 (iii) a spouse of the decedent;

13 (iv) a child of the decedent or a lineal descendant of a child of the  
14 decedent;

15 (v) a spouse of a child of the decedent or a spouse of a lineal  
16 descendant of a child of the decedent;

17 **(VI) A SURVIVING SPOUSE OF A DECEASED CHILD OF THE**  
18 **DECEDENT OR OF A DECEASED LINEAL DESCENDANT OF A CHILD OF THE**  
19 **DECEDENT WHO WAS MARRIED TO THE CHILD OR LINEAL DESCENDANT OF THE**  
20 **CHILD AT THE TIME OF THE CHILD'S OR LINEAL DESCENDANT'S DEATH;**

21 **[(vi)] (VII) a brother or sister of the decedent; or**

22 **[(vii)] (VIII) a corporation, partnership, or limited liability**  
23 **company if all of its stockholders, partners, or members consist of individuals specified**  
24 **in items (i) through [(vi)] (VII) of this paragraph.**

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 July 1, 2010, and shall be applicable to all decedents dying on or after July 1, 2010.