

# HOUSE BILL 658

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3lr1910

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By: **Delegate W. Miller**

Introduced and read first time: February 1, 2013

Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Estates and Trusts – Forms for Modified Administration**

3 FOR the purpose of requiring the Register of Wills for each county and Baltimore City  
4 to submit a certain report to certain committees of the General Assembly by a  
5 certain date; requiring the report to include certain information about the use of  
6 forms for filing for a modified administration of an estate; and generally  
7 relating to the administration of estates.

8 BY repealing and reenacting, without amendments,  
9 Article – Estates and Trusts  
10 Section 5–702(1)  
11 Annotated Code of Maryland  
12 (2011 Replacement Volume and 2012 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 5–702.

17 An election for modified administration may be filed by a personal  
18 representative of an estate within 3 months from the date of appointment, if:

19 (1) All residuary legatees of a testate decedent and the heirs at law of  
20 an intestate decedent are limited to the:

21 (i) Decedent’s personal representative; and

22 (ii) Individuals or entities exempt from inheritance tax in the  
23 decedent’s estate under § 7–203(b), (e), and (f) of the Tax – General Article;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December  
2 31, 2013, the Register of Wills for each county and Baltimore City shall report to the  
3 Senate Judicial Proceedings Committee and the House Judiciary Committee, in  
4 accordance with § 2–1246 of the State Government Article:

5                   (1)    identifying all forms offered or accepted by the Register of Wills for  
6 filing for modified administration under Title 5, Subtitle 7 of the Estates and Trusts  
7 Article;

8                   (2)    certifying that all forms identified in item (1) of this section are in  
9 compliance with § 5–702(1) of the Estates and Trusts Article; and

10                  (3)    identifying any changes to a form that is not found to be in  
11 compliance with § 5–702(1) of the Estates and Trusts Article.

12           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 July 1, 2013.