

SENATE BILL 137

P1

3lr1015

By: **Senator Manno**

Introduced and read first time: January 16, 2013

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Death of Account Holder – Distribution of Account**
3 **Balance**

4 FOR the purpose of requiring a unit of State government, under certain
5 circumstances, to refund any account balance to a surviving spouse, transfer the
6 account balance to an existing account in the surviving spouse's name, or
7 transfer the account to the name of the surviving spouse; requiring the unit to
8 distribute an account balance as required under a certain provision of law
9 within a certain time period; authorizing the unit to require certain proof before
10 distributing an account balance as required by a certain provision of law;
11 defining a certain term; and generally relating to the distribution by a unit of
12 State government of an account holder's account balance on the death of the
13 account holder.

14 BY adding to
15 Article – State Government
16 Section 1–102
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2012 Supplement)

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

21 **Article – State Government**

22 **1–102.**

23 **(A) IN THIS SECTION, “UNIT” MEANS A DEPARTMENT, AGENCY, BOARD,**
24 **OFFICE, OR OTHER BODY IN STATE GOVERNMENT WITH WHICH AN INDIVIDUAL**
25 **MAY HAVE AN ACCOUNT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) IF THE SURVIVING SPOUSE OF AN ACCOUNT HOLDER SUBMITS A**
2 **REQUEST TO A UNIT, THE UNIT SHALL:**

3 **(1) REFUND ANY BALANCE IN THE ACCOUNT TO THE SURVIVING**
4 **SPOUSE;**

5 **(2) TRANSFER ANY BALANCE IN THE ACCOUNT TO AN EXISTING**
6 **ACCOUNT HELD BY THE SURVIVING SPOUSE; OR**

7 **(3) TRANSFER THE ACCOUNT TO THE NAME OF THE SURVIVING**
8 **SPOUSE.**

9 **(C) A UNIT SHALL DISTRIBUTE THE ACCOUNT BALANCE TO THE**
10 **SURVIVING SPOUSE AS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION**
11 **WITHIN 90 DAYS AFTER THE REQUEST IS SUBMITTED TO THE UNIT BY THE**
12 **SURVIVING SPOUSE OF AN ACCOUNT HOLDER.**

13 **(D) A UNIT MAY REQUIRE THAT AN INDIVIDUAL PROVIDE PROOF THAT**
14 **THE INDIVIDUAL IS THE SURVIVING SPOUSE OF AN ACCOUNT HOLDER BEFORE**
15 **THE UNIT DISTRIBUTES THE ACCOUNT BALANCE TO THE INDIVIDUAL UNDER**
16 **SUBSECTION (B) OF THIS SECTION.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2013.