

Chapter 297

(House Bill 228)

AN ACT concerning

Estates and Trusts – Registers of Wills – Records

FOR the purpose of providing that a register of wills may comply with certain provisions of law by retaining certain files under certain circumstances; requiring a register, in consultation with certain parties, to develop certain standards; making stylistic changes; and generally relating to the registers of wills.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 2–209
Annotated Code of Maryland
(2011 Replacement Volume and 2013 Supplement)

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

Article – Estates and Trusts

2–209.

(A) Any will, probated, or any paper filed in the office of the register may not be delivered out of the office to any person.

(B) When a will or other paper is properly demanded for introduction in evidence, it shall be presented under the care of the register or his deputy.

(C) (1) **THE REGISTER MAY COMPLY WITH SUBSECTION (A) OF THIS SECTION BY:**

(I) **RETAINING A PERMANENT PAPER FILE OF A PROBATED WILL IN THE OFFICE AND A COPY OF ANY OTHER FILE ASSOCIATED WITH THE ESTATE IN PAPER, PHOTOGRAPHIC, MICROPROCESSED, MAGNETIC, MECHANICAL, ELECTRONIC, DIGITAL, OR ANY OTHER MEDIUM IF THE COPY IS MAINTAINED IN A MANNER THAT:**

1. **IS CLEAR AND LEGIBLE;**

2. ACCURATELY REPRODUCES THE ORIGINAL DOCUMENT IN ITS ENTIRETY, INCLUDING ANY ATTACHMENTS TO THE DOCUMENT;

3. IS CAPABLE OF PRODUCING A CLEAR AND LEGIBLE HARD COPY OF THE ORIGINAL DOCUMENT; AND

4. PRESERVES EVIDENCE OF ANY SIGNATURE CONTAINED ON THE DOCUMENT; AND

(ii) NO SOONER THAN 180 DAYS FOLLOWING THE CLOSING OF AN ESTATE, RETURNING EACH OTHER FILE ASSOCIATED WITH THE ESTATE, OTHER THAN THE WILL, TO THE PERSONAL REPRESENTATIVE OF THE ESTATE.

(2) IN CONSULTATION WITH THE COMPTROLLER AND THE STATE ARCHIVES TO ENSURE UNIFORM APPLICATION THROUGHOUT THE STATE, THE REGISTER SHALL DEVELOP STANDARDS IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.

Approved by the Governor, May 5, 2014.