

HOUSE BILL 735

N2

7lr1391
CF SB 73

By: **Delegates Malone, Folden, S. Howard, Jacobs, Kittleman, McComas, W. Miller, Morgan, Rose, and ~~Saab~~ Saab, Angel, Hill, Krebs, Metzgar, McDonough, and Morales**

Introduced and read first time: February 2, 2017
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 8, 2017

CHAPTER _____

1 AN ACT concerning

2 **Estates and Trusts – Share of Intestate Estate Inherited by Surviving Spouse**

3 FOR the purpose of increasing the share of the intestate estate of a decedent inherited by
4 a surviving spouse under certain circumstances; and generally relating to intestate
5 property inherited by a surviving spouse.

6 BY repealing and reenacting, with amendments,
7 Article – Estates and Trusts
8 Section 3–102
9 Annotated Code of Maryland
10 (2011 Replacement Volume and 2016 Supplement)

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

Article – Estates and Trusts

14 3–102.

15 (a) The share of a surviving spouse shall be as provided in this section.

16 (b) If there is a surviving minor child, the share shall be one-half.

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.



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1 (c) If there is no surviving minor child, but there is surviving issue, the share
2 shall be the first [\$15,000] ~~\$100,000~~ \$40,000 plus one-half of the residue.

3 (d) If there is no surviving issue but a surviving parent, the share shall be the
4 first [\$15,000] ~~\$100,000~~ \$40,000 plus one-half of the residue.

5 (e) If there is no surviving issue or parent, the share shall be the whole estate.

6 (f) For the purposes of this section, the net estate shall be calculated without a
7 deduction for the tax as defined in § 7-308 of the Tax – General Article.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2017.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.