

Chapter 256

(House Bill 444)

AN ACT concerning

Estates and Trusts – Contesting Validity of Revocable Trust – Limitation

FOR the purpose of requiring that a person commence a judicial proceeding to contest the validity of a trust that was revocable at the death of the settlor within a certain period; providing for the application of this Act; and generally relating to revocable trusts.

BY adding to

Article – Estates and Trusts
Section 14.5–605
Annotated Code of Maryland
(2017 Replacement Volume)

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

Article – Estates and Trusts

14.5–605.

A PERSON SHALL COMMENCE A JUDICIAL PROCEEDING TO CONTEST THE VALIDITY OF A TRUST THAT WAS REVOCABLE AT THE DEATH OF THE SETTLOR WITHIN THE EARLIEST OF:

(1) 1 YEAR AFTER THE DEATH OF THE SETTLOR; OR

(2) 6 MONTHS AFTER THE TRUSTEE SENDS THE PERSON A COPY OF THE TRUST INSTRUMENT AND A NOTICE INFORMING THE PERSON OF THE EXISTENCE OF THE TRUST, THE NAME AND ADDRESS OF THE TRUSTEE, AND THE TIME ALLOWED FOR COMMENCING A PROCEEDING.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any action arising before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

Approved by the Governor, April 24, 2018.