

HB0543/512319/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 543
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “circumstances;” insert “providing that a hearing is not required before a court may enter the order authorized under this Act, subject to certain exceptions;”.

AMENDMENT NO. 2

On page 2, in line 5, after “(C)” insert “(1)”; in the same line, strike “IF” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF”; in line 8, strike “REQUEST” and substitute “PETITION”; and after line 13, insert:

“(2) (I) UNLESS REQUESTED BY AN INTERESTED PERSON, THE COURT MAY ENTER AN ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION WITHOUT A HEARING.

(II) THE COURT MAY NOT ENTER AN ORDER UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:

1. THE ESTATE OF THE DECEDENT WAS INSOLVENT WHEN IT WAS CLOSED;

2. THE CHECK DISCOVERED AFTER THE ESTATE WAS CLOSED INCREASES THE VALUE OF THE ESTATE ABOVE THE VALUE THAT QUALIFIES UNDER § 5-601 OF THIS ARTICLE FOR ADMINISTRATION AS A SMALL ESTATE; OR

(Over)

**3. ANY ADDITIONAL FEES AND INHERITANCE TAXES
DUE AS A RESULT OF THE DISCOVERED CHECK ARE NOT PAID WITH THE
PETITION.**

**(III) THE DISTRIBUTION OF FUNDS BY AN INTERESTED
PERSON UNDER PARAGRAPH (1) OF THIS SUBSECTION MUST BE MADE WITHIN 60
DAYS AFTER THE COURT'S ORDER AUTHORIZING THE DISTRIBUTION.'.**