

HOUSE BILL 963

N2
HB 1420/25 – JUD

6lr1727

By: **Delegates Woorman, Acevero, Boyce, Kaiser, Kaufman, Martinez,
Palakovich Carr, Ruth, Simmons, Terrasa, Wims, and Wolek**

Introduced and read first time: February 6, 2026

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: March 1, 2026

CHAPTER _____

1 AN ACT concerning

2 **Registers of Wills – Appointment of Personal Representatives**

3 FOR the purpose of repealing the prohibition on a register of wills or court granting letters
4 in administrative or judicial probate to certain individuals who are not citizens of
5 the United States; and generally relating to noncitizens and the appointment of
6 personal representatives.

7 BY repealing and reenacting, with amendments,
8 Article – Estates and Trusts
9 Section 5–105
10 Annotated Code of Maryland
11 (2022 Replacement Volume and 2025 Supplement)

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

14 **Article – Estates and Trusts**

15 5–105.

16 (a) (1) In this section, “serious crime” means a crime that reflects adversely on
17 an individual’s honesty, trustworthiness, or fitness to perform the duties of a personal
18 representative.

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.



1 (2) "Serious crime" includes fraud, extortion, embezzlement, forgery,
2 perjury, and theft.

3 (b) Subject to § 5–104 of this subtitle, the register or court may grant letters to:

4 (1) A trust company;

5 (2) Any other corporation authorized by law to be a personal
6 representative; or

7 (3) Subject to subsection (c) of this section, any individual.

8 (c) Letters may not be granted to a person who, at the time a determination of
9 priority is made, has filed with the register a declaration in writing that the person
10 renounces the right to administer or is:

11 (1) Under the age of 18 years;

12 (2) Mentally incompetent;

13 (3) Convicted of a serious crime, unless the person shows good cause for the
14 granting of letters;

15 [(4) Not a citizen of the United States unless the person is a permanent
16 resident of the United States and is:

17 (i) The spouse of the decedent;

18 (ii) An ancestor of the decedent;

19 (iii) A descendant of the decedent; or

20 (iv) A sibling of the decedent;]

21 [(5) (4) A full-time judge of a court established under the laws of
22 Maryland or the United States including a judge of an orphans' or probate court, or a clerk
23 of court, or a register, unless the person is the surviving spouse or is related to the decedent
24 within the third degree; or

25 [(6) (5) A nonresident of the State, unless there shall be on file with the
26 register an irrevocable designation by the nonresident of an appropriate person who resides
27 in the State on whom service of process may be made in the same manner and with the
28 effect as if it were served personally in the State on the nonresident.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2026.