

HOUSE BILL 1345

N2

6lr2421

By: **Delegates Cardin and Taylor**

Introduced and read first time: February 12, 2026

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Trust Act – In Terrorem Clause – Void**

3 FOR the purpose of establishing that, under the Maryland Trust Act, a certain in terrorem
4 clause contained in a trust is void under certain circumstances; and generally
5 relating to the Maryland Trust Act.

6 BY adding to

7 Article – Estates and Trusts

8 Section 14.5–113

9 Annotated Code of Maryland

10 (2022 Replacement Volume and 2025 Supplement)

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

13 **Article – Estates and Trusts**

14 **14.5–113.**

15 **IF PROBABLE CAUSE EXISTS FOR INSTITUTING PROCEEDINGS, A PROVISION IN**
16 **A TRUST PURPORTING TO PENALIZE AN INTERESTED PERSON FOR CONTESTING THE**
17 **TRUST OR INSTITUTING OTHER PROCEEDINGS RELATING TO THE ESTATE IS VOID.**

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

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2026.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

