



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 596: Estates - Maryland Uniform Simultaneous Death Act

Madam Chair and fellow members of the Judiciary Committee.

I take seriously our responsibility to ensure Maryland's civil and probate laws are clear, predictable, and workable for families, practitioners, and the courts. House Bill 596 does exactly that by modernizing Maryland's Uniform Simultaneous Death Act.

Maryland's current statute dates back to the 1970s and no longer reflects the nationally accepted uniform standard or modern probate practice. This bill updates our law to align with revisions adopted by the Uniform Law Commission in the early 1990s and now used by a majority of states.

The bill addresses a narrow but recurring issue in probate: how to administer estates when two individuals die in the same incident, or within a very short period of time, and there is insufficient evidence to establish survivorship.

Under current law, estates may be forced through multiple probate proceedings based on speculative or minute differences in time of death. This can result in an estate passing briefly to a person who has already died, only to be probated again. That process increases administrative burden, legal costs, and delays, with no meaningful benefit to the intended beneficiaries.

HB 596 adopts the widely accepted 120-hour rule, which provides that if two individuals die within 120 hours of each other and survivorship cannot be proven, they are deemed to have died simultaneously for probate purposes. This default rule applies only when a governing instrument, such as a will or trust, does not specify otherwise.

From a Judiciary perspective, this change promotes efficiency, reduces unnecessary litigation, and provides a clear evidentiary standard for courts to apply. It also respects individual choice by allowing anyone to opt out of the rule through proper estate planning.

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This approach is not novel. As of 2010, at least 19 states, the District of Columbia, and the U.S. Virgin Islands had adopted the Act in its current form, including neighboring and peer states such as Virginia, North Carolina, New York, and Ohio. Alaska enacted similar legislation just last year.

HB 596 was developed in coordination with the Maryland Judiciary, the Uniform Law Commission, and the Maryland State Bar Association. It reflects best practices and brings Maryland law into alignment with a well-established national standard.

For these reasons, I respectfully ask the Committee for a favorable report.