

SENATE BILL 418

N2

5lr1936
CF HB 623

By: **Senator Lee**

Introduced and read first time: February 6, 2015

Assigned to: Judicial Proceedings

Committee Report: Favorable

Senate action: Adopted

Read second time: March 17, 2015

CHAPTER _____

1 AN ACT concerning

2 **Estates – Modified Administration – Final Report and Distribution – Extension**

3 FOR the purpose of authorizing, under certain circumstances, a register of wills to extend
4 the time periods for filing a final report and making distribution of an estate in a
5 modified administration of the estate for a certain period of time on the filing of a
6 certain request; requiring the request for the extension to be signed by the personal
7 representative and consented to by certain persons; requiring the request to be
8 delivered to the register of wills by a certain date; providing for the application of
9 this Act; and generally relating to an extension of the time periods for filing a final
10 report and for making final distribution of an estate in a modified administration of
11 the estate.

12 BY repealing and reenacting, with amendments,
13 Article – Estates and Trusts
14 Section 5–703
15 Annotated Code of Maryland
16 (2011 Replacement Volume and 2014 Supplement)

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

19 **Article – Estates and Trusts**

20 5–703.

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 (a) The initial time periods for filing a final report and for making distribution to
 2 each legatee and heir are extended for 90 days on a consent for extension of the time periods
 3 signed by the personal representative and each interested person and filed within 10
 4 months from the date of appointment.

5 (b) **[A] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A**
 6 register of wills or a court may not extend the time periods established under this subtitle.

7 **(C) (1) IF THE TIME PERIODS FOR FILING A FINAL REPORT AND MAKING**
 8 **DISTRIBUTION TO EACH LEGATEE AND HEIR HAVE BEEN EXTENDED UNDER**
 9 **SUBSECTION (A) OF THIS SECTION, THE REGISTER OF WILLS MAY EXTEND THE TIME**
 10 **PERIODS FOR AN ADDITIONAL PERIOD NOT TO EXCEED 90 DAYS ON THE FILING OF A**
 11 **REQUEST FOR AN ADDITIONAL EXTENSION OF THE TIME PERIODS.**

12 **(2) A REQUEST FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION**
 13 **SHALL BE:**

14 **(I) SIGNED BY THE PERSONAL REPRESENTATIVE AND**
 15 **CONSENTED TO BY EACH INTERESTED PERSON; AND**

16 **(II) DELIVERED TO THE REGISTER OF WILLS BEFORE THE DATE**
 17 **FOR FILING A FINAL REPORT AS EXTENDED UNDER SUBSECTION (A) OF THIS**
 18 **SECTION.**

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

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 23 October 1, 2015.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.