

SENATE BILL 151

N2

0lr1644

By: **Senator West**

Introduced and read first time: January 10, 2020

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Estates and Trusts – Closed Estates – Subsequent Discovery of Check**

3 FOR the purpose of authorizing a court, following the discovery of a check to a decedent or
4 the estate of a decedent payable for a sum not exceeding a certain amount after the
5 estate is closed and the appointment of the personal representative is terminated, to
6 enter an order authorizing a certain interested person to indorse and deposit the
7 check into the interested person's bank account for a certain purpose under certain
8 circumstances; making stylistic changes; and generally relating to the
9 administration of decedents' estates.

10 BY repealing and reenacting, with amendments,
11 Article – Estates and Trusts
12 Section 10–104
13 Annotated Code of Maryland
14 (2017 Replacement Volume and 2019 Supplement)

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

17 **Article – Estates and Trusts**

18 10–104.

19 (a) **[If] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IF**
20 property is discovered after an estate has been closed and the appointment of the personal
21 representative has been terminated **[pursuant to] UNDER § 10–101** of this subtitle, the
22 court, on petition of an interested person and on **[such] ANY** notice as **[it] THE COURT** may
23 direct, may appoint the same or a successor personal representative and make other
24 appropriate orders.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) Further proceedings shall be conducted [pursuant to] **IN ACCORDANCE WITH**
2 the provisions of the estates of decedents law as may be applicable, but no claim previously
3 barred may be asserted in the reopened administration.

4 (c) **IF A CHECK PAYABLE TO A DECEDENT OR THE ESTATE OF A DECEDENT**
5 **FOR A SUM NOT EXCEEDING \$1,000 IS DISCOVERED AFTER AN ESTATE IS CLOSED**
6 **AND THE APPOINTMENT OF THE PERSONAL REPRESENTATIVE HAS TERMINATED**
7 **UNDER § 10-101 OF THIS SUBTITLE, ON A VERIFIED REQUEST MADE BY AN**
8 **INTERESTED PERSON, THE COURT MAY ENTER AN ORDER AUTHORIZING THE**
9 **INTERESTED PERSON TO INDORSE AND DEPOSIT THE CHECK INTO THE INTERESTED**
10 **PERSON'S BANK ACCOUNT FOR THE LIMITED PURPOSE OF DISTRIBUTING THE**
11 **FUNDS IN ACCORDANCE WITH THE WILL OR, IF THE DECEDENT DIED INTESTATE, IN**
12 **ACCORDANCE WITH TITLE 3, SUBTITLE 1 OF THIS ARTICLE.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2020.