

# SENATE BILL 348

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8lr2525  
CF HB 444

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By: **Senator Lee**

Introduced and read first time: January 24, 2018

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Estates and Trusts – Contesting Validity of Revocable Trust – Limitation**

3 FOR the purpose of requiring that a person commence a judicial proceeding to contest the  
4 validity of a trust that was revocable at the death of the settlor within a certain  
5 period; providing for the application of this Act; and generally relating to revocable  
6 trusts.

7 BY adding to

8 Article – Estates and Trusts

9 Section 14.5–605

10 Annotated Code of Maryland

11 (2017 Replacement Volume)

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 **14.5–605.**

16 **A PERSON SHALL COMMENCE A JUDICIAL PROCEEDING TO CONTEST THE**  
17 **VALIDITY OF A TRUST THAT WAS REVOCABLE AT THE DEATH OF THE SETTLOR**  
18 **WITHIN THE EARLIEST OF:**

19 **(1) 1 YEAR AFTER THE DEATH OF THE SETTLOR; OR**

20 **(2) 6 MONTHS AFTER THE TRUSTEE SENDS THE PERSON A COPY OF**  
21 **THE TRUST INSTRUMENT AND A NOTICE INFORMING THE PERSON OF THE**  
22 **EXISTENCE OF THE TRUST, THE NAME AND ADDRESS OF THE TRUSTEE, AND THE**  
23 **TIME ALLOWED FOR COMMENCING A PROCEEDING.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2018.