

(I) IF THE BENEFICIARY IS A MINOR, THE BENEFICIARY'S NATURAL OR LEGAL GUARDIAN; OR

(II) IF THE BENEFICIARY IS A DISABLED PERSON, AS DEFINED IN § 13-101 OF THIS ARTICLE, ANY PERSON ACTING ON BEHALF OF THE BENEFICIARY UNDER A GUARDIANSHIP, CONSERVATORSHIP, OR COMMITTEE.

~~(A)~~ (B) A TRUSTEE MAY DONATE A CONSERVATION EASEMENT ON ANY REAL PROPERTY, OR CONSENT TO THE DONATION OF A CONSERVATION EASEMENT ON ANY REAL PROPERTY BY A PERSONAL REPRESENTATIVE OF AN ESTATE OF WHICH THE TRUSTEE IS A LEGATEE, IN ORDER TO OBTAIN THE BENEFIT OF THE ESTATE TAX EXCLUSION ALLOWED UNDER § 2031(C) OF THE UNITED STATES INTERNAL REVENUE CODE OF 1986, AS AMENDED, IF:

(1) THE GOVERNING INSTRUMENT DIRECTS THE DONATION OF A CONSERVATION EASEMENT ON THE REAL PROPERTY; OR

(2) EACH PERSON ~~IN BEING~~ BENEFICIARY WHO HAS AN INTEREST IN THE REAL PROPERTY THAT WOULD BE AFFECTED BY THE CONSERVATION EASEMENT CONSENTS IN WRITING TO THE DONATION.

~~(B) A TRUSTEE THAT ACTS IN GOOD FAITH MAY NOT BE HELD LIABLE CIVILLY FOR A DECREASE IN THE VALUE OF THE REAL PROPERTY AS A RESULT OF A DONATION OF A CONSERVATION EASEMENT UNDER THIS SECTION.~~

15-102.

(a) (1) ~~In this section, "fiduciary" means~~ IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "BENEFICIARY" MEANS AN ASCERTAINABLE PERSON WHO HAS A PRESENT OR FUTURE INTEREST IN A TRUST ESTATE.

(II) "BENEFICIARY" INCLUDES:

1. IF THE BENEFICIARY IS A MINOR, THE BENEFICIARY'S NATURAL OR LEGAL GUARDIAN; OR

2. IF THE BENEFICIARY IS A DISABLED PERSON, AS DEFINED IN § 13-101 OF THIS ARTICLE, ANY PERSON ACTING ON BEHALF OF THE BENEFICIARY UNDER A GUARDIANSHIP, CONSERVATORSHIP, OR COMMITTEE.

(3) (I) "FIDUCIARY" MEANS a trustee acting under a deed, will, declaration of trust or other instrument in the nature of a trust or appointed by a court, a committee or guardian of the property of a minor or a disabled person, whether the trust or estate be created or the appointment made prior or subsequent to the effective date of this subtitle.

~~(2)~~ (II) "Fiduciary" does not include a receiver, trustee of a trust for the benefit of creditors, executor, administrator, or personal representative.

(b) (1) A fiduciary may perform the functions and duties enumerated in this section without application to, approval of, or ratification by a court.