

Maryland (1951 Edition), title "Revenue and Taxes", sub-title "Inheritance Tax", relating to the computation of contributions to the payment of the Estate Tax. BY SPOUSES WHO RENOUNCE THE WILL.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That sub-sections (3) and (4) of Section 161 of Article 81 of the Annotated Code of Maryland (1951 Edition), title "Revenue and Taxes", sub-title "Inheritance Tax", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

161.

(3) Contributions to the payment of the estate tax shall be made as follows:

(a) If any part of the gross estate upon which the estate tax has been paid consists of the value of property, other than the true estate, over which decedent had a power of appointment and which is included in the gross estate under Section ~~811(f)~~ 2041 of the Internal Revenue Code, or any amendments thereto, the executor shall be entitled to recover from the person receiving such property by reason of the exercise, non-exercise, or release of such power of appointment such portion of the total tax paid as the value of such property (i.e. the value at which it is included in the gross estate) bears to the ~~sum~~ of the net estate and the amount of the specific exemption allowed in computing the net estate. ~~gross estate.~~ If there is more than one such person, the executor shall be entitled to recover from such persons in the same ratio.

(b) If any part of the gross estate upon which the estate tax has been paid consists of proceeds of policies of insurance upon the life of the decedent receivable by a beneficiary other than the executor, the executor shall be entitled to recover from such beneficiary such portion of the total tax paid as the proceeds of such policies bear to the ~~sum~~ of the net estate and the amount of the specific exemption allowed in computing the net estate. ~~gross estate.~~ If there is more than one such beneficiary, the executor shall be entitled to recover from such beneficiaries in the same ratio. The effect of contribution hereunder by a trustee beneficiary for all purposes of the trust shall be the same as if the principal of the policy proceeds receivable by the trustee under the insurance contract were the amount thereof less such contribution.

(c) If any part of the gross estate upon which the estate tax has been paid consists of any other property or the value of any other property which is not part of the true estate of the decedent, the executor shall likewise be entitled to recover from the person whose enjoyment, possession or ownership of such property was the result of the acts of the decedent or other circumstances which occasioned its inclusion in said gross estate such portion of the total tax paid as the value of such property (i.e. the value at which it is included in the gross estate) bears to the ~~sum~~ of the net estate and the amount of the specific exemption allowed in computing the net estate. ~~gross estate.~~ If there is more than one such person, the executor shall be entitled to recover from such persons in the same ratio.

(d) In the event contribution be due under the provisions of Sub-sections 3(a), (b) and (c) of this section with respect to the value