

of the policy, or the employee covered by such plan or contract, as the case may be, whether or not such will (or codicil) is in existence at the time of such designation. Upon the admission of such will (or codicil) to probate, and the payment thereof to the trustee (or trustees), such death benefits shall be held, administered and disposed of in accordance with the terms of the testamentary trust or trusts created by the will (or codicil).

(c) In the event no trustee makes proper claim to the proceeds from the insurance company or other obligor within a period of one year after the date of the death of the insured, employee or annuitant, or if satisfactory evidence is furnished to the insurance company or other obligor within such one-year period that there is or will be no trustee to receive the proceeds, payment shall be made by the insurance company or other obligor to the executors or administrators of the person making such designation, unless otherwise provided by agreement.

(d) Death benefits payable as provided in sub-sections (a), (b) or (c) of this section, unless paid to an executor or administrator under the provisions of sub-section (c), shall not be deemed to be part of the testator's estate, and shall not be subject to any obligation to pay taxes, debts, or other charges enforceable against the estate of the testator, except as provided in Section 162 of Article 81.

(e) Such death benefits so held in trust may be commingled with any other assets which may properly come into such trust.

SEC. 2. And be it further enacted, That nothing in this Act shall affect the validity of any designation heretofore made naming a trustee or trustees of any trust (established by agreement or declaration of trust or by will or codicil) the beneficiary of such death benefits, nor the validity of any trust which shall have heretofore received any such death benefits.

SEC. 3. And be it further enacted, That this Act shall take effect June 1, 1964.

Approved April 7, 1964.

CHAPTER 106

(House Bill 139)

AN ACT to repeal and re-enact, with amendments, Sections 351 and 352 of Article 93 of the Annotated Code of Maryland (1957 Edition), title "Testamentary Law," subtitle "Wills"; and to add new Section 351A to the said Article and subtitle of the Code, to follow immediately after Section 351 thereof, to revise statutory provisions for the revocation of wills, codicils or parts thereof, to provide for invalidation of provisions in wills for spouses later divorced, to provide for pretermitted children in wills or codicils and to provide for revival of revoked wills.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 351 and 352 of Article 93 of the Annotated Code of