

3-109. Person related to decedent through two lines.

A person who is related to the decedent through two lines of relationship is entitled to only a single share based on the relationship which would entitle him to the larger share.

3-110. Certain heirs not surviving decedent for thirty days.

In the event a descendant, ancestor, brother or sister, or descendant of a brother or sister, fails to survive the decedent by thirty (30) full days, he shall be deemed to have predeceased the decedent for purposes of intestate succession, and shall not be entitled to the rights of an heir. If the time of death of the decedent or of the descendant, ancestor, brother or sister, or descendant of a brother or sister, who would otherwise be an heir, or the times of death of both, cannot be determined, so that it cannot be established that such person has survived the decedent by thirty (30) full days, such person shall be deemed not to have survived for the required period.

Part 2—Family Allowance and Statutory Share of Surviving Spouse.

3-201. Family allowance.

The surviving spouse shall be entitled to receive an allowance for the personal use of the surviving spouse of \$1,000, and an additional allowance of \$500 for each unmarried child of the decedent and his surviving spouse who has not attained the age of twenty-one years at the time of the decedent's death, for the use of such unmarried infant children. Such allowance, which shall be available in both testate and intestate estates, shall be exempt from the Maryland inheritance tax.

3-202. Dower and curtesy abolished.

The estates of dower and curtesy are abolished.

3-203. Right to elective share.

The surviving spouse may elect to take, in lieu of such property, if any, as may be left to him by will, the share which he might take in intestacy under Section 3-102, except that under no circumstances may the surviving spouse who makes such an election take more than the share described in subsection (3) of Section 3-102.

3-204. Right of election personal to surviving spouse.

The right of election of the surviving spouse is personal to him. It is not transferable and cannot be exercised subsequent to his death; but if the surviving spouse is a minor or otherwise under disability such election may be exercised by order of the court having jurisdiction of the person or property of the spouse under disability.

3-205. Waiver of rights in decedent's estate.

The right of election of a surviving spouse may be waived before or after marriage by a written contract, agreement or waiver signed by the party waiving the right of election. Unless it provides to the contrary, a waiver of "all rights" in the property or estate of a present or prospective spouse, or a complete property settlement