

or a personal representative, but the provisions of this Section shall not be construed to prevent the enforcement of mortgages, pledges, liens or other security interests upon property in an appropriate proceeding.

8-115. *Exemption from claim—proceeds of life insurance, annuity contracts, and benefits of fraternal benefit societies.*

The proceeds of any life insurance policy or annuity contract or any money payable by a fraternal benefit society shall be exempt from claims in accordance with the provisions of Sections 328 and 385 of Article 48A.

~~8-116. [Combined with 8-115]~~

SUBTITLE IX

SPECIAL PROVISIONS RELATING TO DISTRIBUTION

9-101. *Renunciation—legatee or heir.*

A person may renounce testate or intestate succession or both, wholly or partially, if he has not accepted possession as legatee or heir, by delivering to the personal representative a written renunciation. Property renounced by a legatee shall pass pursuant to Section 4-404; and property renounced by an heir shall pass as if such person had predeceased the decedent. Creditors of the renouncing legatee or heir have no interest in the property renounced, whether their claims are based on contract, tort, tax obligations or otherwise.

9-102. *Renunciation—testamentary trustee.*

Any trustee appointed by will to execute any trust contained therein may decline to accept such appointment by filing a statement of renunciation with the Register of the County in which such will is admitted to probate at any time before he receives any property or performs any act pursuant to said trust. Unless the will otherwise provides, the trust shall thereafter be administered as if such trustee had not been appointed. Such renunciation shall not be construed to release or impair the right of such person to any legacy under the will by which he was appointed trustee, unless such legacy shall be expressly declared in the will to be as compensation for his services as trustee. Unless the will otherwise provides, in all cases not provided for in this Section, a trustee may renounce or resign his trust only in accordance with the Maryland Rules.

~~9-102. [Omitted]~~

~~9-104~~ 9-103. *Distribution; order in which assets appropriated; abatement.*

(a) General rules. Except as provided in subsection (b) hereof, in Section 3-301 dealing with the shares of pretermitted children and their issue, or in Section 3-203 dealing with the share of the surviving spouse who elects to take against the will, or unless the will otherwise requires, or the legatee is the surviving spouse, creditor or dependent, shares of legatees abate, without any preference or priority as between real and personal property, in the following order: