

CHAPTER 312

(House Bill 909)

AN ACT to add new Section 199D-1 to Article 16 of the Annotated Code of Maryland (1966 Replacement Volume and 1971 Supplement), title "Chancery," subtitle "Administration of Charitable Trusts," to follow immediately after Section 199D thereof, to facilitate the amendment of the governing instruments of certain charitable trusts ~~and corporations~~ in order to conform to the requirements of Section 664 of the Internal Revenue Code of 1954 as amended by the Tax Reform Act of 1969 and generally relating thereto.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 199D-1 be and it is hereby added to Article 16 of the Annotated Code of Maryland (1966 Replacement Volume and 1971 Supplement), title "Chancery," subtitle "Administration of Charitable Trusts," to follow immediately after Section 199D thereof and to read as follows:

199D-1.

Notwithstanding any provisions to the contrary in the governing instrument, the trustee or trustees of any CHARITABLE REMAINDER TRUST CREATED AFTER JULY 31, 1969 ~~trust described in Section 4047(a)(2) of the Internal Revenue Code of 1954 to which Section 199D of this Article is applicable,~~ with the consent of each beneficiary named in the governing instrument, may, without application to any court, amend the governing instrument to conform to the provision of Section 664 of the Internal Revenue Code of 1954 by executing a written amendment to the trust for the purpose. Consent shall not be required as to individual named beneficiaries not living at the time of amendment. In the case of ~~one~~ AN individual beneficiary not competent to give consent, the consent of a guardian, appointed by a court of competent jurisdiction, shall be treated as consent of the beneficiary. In the case of any amendment to a trust created by will, the amendment may, if provided in the amendment be deemed to apply as of the date of death of the testator.

SEC. 2. *And be it further enacted,* That this Act shall take effect July 1, 1972.

Approved May 5, 1972.

CHAPTER 313

(House Bill 916)

AN ACT to repeal and re-enact, with amendments, Section 25(f) of Article 43 of the Annotated Code of Maryland (1971 Replacement Volume), title "Health," subtitle "Vital Records," to increase the fees charged by the Department of Health and Mental Hygiene for additional copies of certain records.