SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved April 10, 1973.

CHAPTER 25

(House Bill 254)

AN ACT to repeal and re-enact, with amendments, Section 5-104(b) of Article 93 of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Decedents' Estates," subtitle "V. Opening the Estate," subheading "'General Provisions,'" to provide for the repeal and revision of the term "federal commissioners" which has been rendered obsolete and inaccurate by the establishment of the United States Magistrates system.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 5-104(b) of Article 93 of the Annotated Code of Maryland (1969 Replacement Volume and 1972 Supplement), title "Decedents' Estates," subtitle "V. Opening the Estate," subheading "'General Provisions,'" be and it is hereby repealed and re-enacted, with amendments, to read as follows:

5-104.

(b) Letters shall not be granted to a person who, at the time any determination of priority is made, has filed with the register a declaration in writing that he renounces his right to administer or is

(1) Under the age of twenty-one years;

(2) Mentally incompetent;

(3) Convicted of a serious crime;

(4) Not a citizen of the United States;

(5) Any full-time judge of any court established under the laws of Maryland or the United States, any judge of any orphans' or probate court, or any clerk of court or register, excluding federal [commissioners] MAGISTRATES, unless he is the surviving spouse or is related to the decedent within the third degree; or

(6) A nonresident of this State, unless there shall be on file with the register an irrevocable designation by him of an appropriate person who resides in this State on whom service of any process may be made in like manner and with like effect as if it were served personally in this State on such nonresident.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1973.

Approved April 10, 1973.