

(C) PAYMENT OF SURRENDER VALUE.

IN ANY PROCEEDING UNDER THIS SECTION, IF THE ABSENTEE IS NOT FOUND TO BE DEAD AND THE POLICY PROVIDES FOR A SURRENDER VALUE, THE BENEFICIARY MAY REQUEST THE GUARDIAN TO DEMAND THE PAYMENT OF SURRENDER VALUE. THE GUARDIAN'S RECEIPT FOR THE PAYMENT IS A RELEASE TO THE INSURER OF ALL CLAIMS UNDER THE POLICY. THE GUARDIAN SHALL PAY TO THE BENEFICIARY (OR TO THE ABSENTEE'S ESTATE, IF THE BENEFICIARY HAS NOT SURVIVED THE ABSENTEE) THE SUM SO RECEIVED, LESS THE AMOUNT ALLOWED BY THE COURT AS COSTS OF THE PROCEEDINGS UNDER THIS SECTION.

(D) SURVIVAL OF BENEFICIARY NOT ESTABLISHED.

IF THE SURVIVAL OF A NAMED BENEFICIARY IS NOT ESTABLISHED, THE PROVISIONS OF THIS SUBTITLE APPLY AS IF THE PROCEEDS OF INSURANCE WERE A PART OF THE ESTATE OF THE ABSENTEE.

REVISOR'S NOTE: This section is new language, including the substance of Art. 16, §209, which is proposed for repeal.

SEC. 3-110. DISTRIBUTION OF PROPERTY OF ABSENTEE.

(A) IN GENERAL.

AFTER TERMINATION OF THE GUARDIANSHIP UNDER §3-106 AND ANY DEDUCTION FOR THE INSURANCE FUND AS REQUIRED BY §3-107, THE COURT SHALL DISTRIBUTE THE REMAINING PROPERTY IN ACCORDANCE WITH ARTICLE 93A AND THIS SUBTITLE.

(B) VALIDITY AND EFFECT OF DISTRIBUTION.

THE ORDER OF DISTRIBUTION SHALL BE FINAL AND BINDING UPON ANY PERSON, INCLUDING THE ABSENTEE.

REVISOR'S NOTE: This language is derived from Art. 16, §208. If the determination is distribution under §3-106(b), the deduction for the fund is required by §3-107. Art. 93, §221 provides for distribution if the absentee is dead or "presumptively dead". The term "presumptively dead" refers to distribution under §3-106(b). The reference to Art. 93A is specifically included to indicate that this article governs the distribution of the absentee's