

SECTION. AN ACTION AGAINST THE ESTATE MAY BE INSTITUTED AFTER THE EXPIRATION OF THE TIME DESIGNATED IN THIS SECTION BUT WITHIN THE PERIOD OF LIMITATIONS GENERALLY APPLICABLE TO ACTIONS AGAINST THE ESTATE IN THE EVENT THE DECEDENT WAS COVERED BY AN EXISTING LIABILITY INSURANCE POLICY AT THE TIME OF THE OCCURRENCE. THE EXISTENCE OF INSURANCE COVERAGE IS NOT ADMISSIBLE AT THE TRIAL OF THE CASE AND THE JUDGMENT IS LIMITED TO THE EXTENT OF EXISTING INSURANCE IF A VERDICT IS RENDERED AGAINST THE ESTATE. THESE PROVISIONS PERMIT CLAIMS AGAINST THE UNSATISFIED CLAIM AND JUDGMENT FUND OF THE STATE, IF OTHERWISE PROPER.

REVISOR'S NOTE: This section presently appears as Art. 93, §8-104. Two additional subsections are drawn. The only other changes are in style and language.

8-105. ORDER OF PAYMENT.

(A) INSUFFICIENT ASSETS.

IF THE APPLICABLE ASSETS OF THE ESTATE ARE INSUFFICIENT TO PAY ALL CLAIMS IN FULL, THE PERSONAL REPRESENTATIVE SHALL MAKE PAYMENT IN THE ORDER PROVIDED IN THIS SUBSECTION.

- (1) FEES DUE TO THE REGISTER.
- (2) COSTS AND EXPENSES OF ADMINISTRATION.
- (3) FUNERAL EXPENSES AS PROVIDED IN §8-106.
- (4) COMPENSATION OF PERSONAL REPRESENTATIVE AS PROVIDED IN §7-601, FOR LEGAL SERVICES AS PROVIDED IN §7-602, AND COMMISSIONS OF LICENSED REAL ESTATE BROKERS AND SALESMEN.
- (5) FAMILY ALLOWANCE AS PROVIDED IN §3-201.
- (6) TAXES DUE BY THE DECEDENT.
- (7) REASONABLE MEDICAL, HOSPITAL, AND NURSING EXPENSES OF THE LAST ILLNESS OF THE DECEDENT.
- (8) RENT PAYABLE BY THE DECEDENT FOR NOT MORE THAN THREE MONTHS IN ARREARS.
- (9) WAGES, SALARIES, OR COMMISSION FOR SERVICES PERFORMED FOR THE DECEDENT WITHIN THREE MONTHS PRIOR TO DEATH OF THE DECEDENT.
- (10) OLD AGE ASSISTANCE CLAIMS UNDER §77 OF ARTICLE 88A.