

REVISOR'S NOTE: This section presently appears as Art. 93, §8-115. A slight change is made in language.

TITLE 9. SPECIAL PROVISIONS RELATING TO DISTRIBUTION.

SUBTITLE 1. GENERAL.

9-101. RENUNCIATION BY LEGATEE OR HEIR.

(A) METHOD.

IF A PERSON HAS NOT ACCEPTED POSSESSION AS LEGATEE OR HEIR, HE MAY RENOUNCE TESTATE OR INTESTATE SUCCESSION OR BOTH, IN WHOLE OR IN PART, BY DELIVERING A WRITTEN RENUNCIATION TO THE REGISTER WITH A COPY TO THE PERSONAL REPRESENTATIVE.

(B) EFFECT.

UNLESS THE DECEDENT OR DONEE OF A POWER OF APPOINTMENT HAS PROVIDED OTHERWISE, THE PROPERTY OR PART OR INTEREST RENOUNCED AND ~~[[A]]~~ ANY FUTURE INTEREST WHICH IS TO TAKE EFFECT IN POSSESSION OR ENJOYMENT AT OR AFTER THE TERMINATION OF THE INTEREST RENOUNCED, SHALL BE DISTRIBUTED AS IF THE PERSON RENOUNCING HAD DIED INTESTATE IMMEDIATELY BEFORE THE DECEDENT. IF THE PERSON RENOUNCING WAS DESIGNATED TO TAKE PURSUANT TO A POWER OF APPOINTMENT EXERCISED BY A TESTAMENTARY INSTRUMENT, THE PROPERTY OR PART OR INTEREST SHALL BE DISTRIBUTED AS IF THE PERSON RENOUNCING HAD DIED IMMEDIATELY BEFORE THE DONEE OF THE POWER.

(C) RELATION BACK.

IN EVERY CASE THE RENUNCIATION RELATES BACK FOR ALL PURPOSES TO THE DATE OF DEATH OF THE DECEDENT OR DONEE. 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.

REVISOR'S NOTE: This section presently appears as Art. 93, §9-101. It is divided into three subsections. The only other changes are in language and style.

9-102. RENUNCIATION BY TESTAMENTARY TRUSTEE.

(A) GENERAL.

A TRUSTEE APPOINTED BY WILL TO EXECUTE A TRUST CONTAINED IN IT MAY DECLINE TO ACCEPT THE APPOINTMENT BY FILING A STATEMENT OF RENUNCIATION WITH THE REGISTER OF