

§§2-104 and
13-106 (t).

TITLE 14. TRUSTS.

SUBTITLE 1. GENERAL PROVISIONS.

14-101. GENERAL JURISDICTION OF COURTS CONCERNING TRUSTS.

A COURT HAVING EQUITY JURISDICTION HAS GENERAL SUPERINTENDING POWER WITH RESPECT TO TRUSTS. THE PROVISIONS OF TITLES 1 THROUGH 13 OF THIS ARTICLE DO NOT AFFECT OR SUPERSEDE THIS POWER.

REVISOR'S NOTE: This section is new language derived from Art. 16, §108. An amendment made to this section in 1951 is deleted because the Commission feels that the common law rules with respect to the termination of inter vivos trusts should apply in every instance.

14-102. APPLICABILITY OF CERTAIN PROVISIONS OF ESTATES OF DECEDENTS LAW TO TRUSTS.

IN THE ABSENCE OF EXPRESS LANGUAGE TO THE CONTRARY, THE RULES CONTAINED IN §§1-202, 1-203, 1-204, 1-205, 1-206, 1-207, 1-208, 1-209, AND 1-210 OF THIS ARTICLE SHALL BE APPLIED IN CONSTRUING THE TERMS OF AN INTER VIVOS TRUST. WHENEVER ANY OF ~~[[THESE]]~~ THOSE STATUTORY SECTIONS REFER TO A "WILL," "ESTATE," OR SIMILAR TERMS RELEVANT PRIMARILY TO WILLS AND ESTATES OR THE TAKERS UNDER THEM, THE TERMS SHALL BE MODIFIED TO MEAN "TRUST INSTRUMENT," "TRUST," OR SIMILAR TERMS TO REFLECT THE APPLICATION OF THE PRINCIPLES OF THOSE SECTIONS TO INTER VIVOS TRUSTS.

REVISOR'S NOTE: Many of the rules of construction in the Estates of Decedents Law are applicable only to wills and testamentary trusts. There is no reason why those rules should not also be applicable to inter vivos trusts. The purpose of this section is to accomplish that result. Other provisions of the Estates of Decedents Law which are expressly applicable to inter vivos trusts are §§4-107, 9-102, 11-101, 11-102, 11-103, 11-104, 11-105, 11-106, and 11-107.

14-103. COMMISSIONS.

(A) GENERAL RULE.

A TESTAMENTARY TRUSTEE AND TRUSTEE OF ANY OTHER TRUST WHOSE DUTIES COMPRISE THE COLLECTION AND