

The only changes are in language and style.

3-204. RIGHT OF ELECTION PERSONAL TO SURVIVING SPOUSE.

THE RIGHT OF ELECTION OF THE SURVIVING SPOUSE IS PERSONAL TO HIM. IT IS NOT TRANSFERABLE AND CANNOT BE EXERCISED SUBSEQUENT TO HIS DEATH. IF THE SURVIVING SPOUSE IS UNDER 18 YEARS OF AGE OR UNDER DISABILITY, THE ELECTION MAY BE EXERCISED BY ORDER OF THE COURT HAVING JURISDICTION OF THE PERSON OR PROPERTY OF THE SPOUSE OR PERSON UNDER DISABILITY.

REVISOR'S NOTE: This section presently appears as Art. 93, §3-204. The only changes are in style and language.

3-205. WAIVER OF RIGHTS IN DECEDENT'S ESTATE.

THE RIGHT OF ELECTION OF A SURVIVING SPOUSE MAY BE WAIVED BEFORE OR AFTER MARRIAGE BY A WRITTEN CONTRACT, AGREEMENT, OR WAIVER SIGNED BY THE PARTY WAIVING THE RIGHT OF ELECTION. UNLESS IT PROVIDES TO THE CONTRARY, A WAIVER OF "ALL RIGHTS" IN THE PROPERTY OR ESTATE OF A PRESENT OR PROSPECTIVE SPOUSE, OR A COMPLETE PROPERTY SETTLEMENT ENTERED INTO AFTER OR IN ANTICIPATION OF SEPARATION OR DIVORCE, IS A WAIVER OF ANY RIGHT TO HIS FAMILY ALLOWANCE AS WELL AS TO HIS ELECTIVE SHARE BY EACH SPOUSE IN THE PROPERTY OF THE [[OTHER]] SPOUSE, HIS RIGHT TO LETTERS UNDER §5-104, AND IS AN IRREVOCABLE RENUNCIATION [[BY EACH]] OF ANY BENEFIT WHICH WOULD PASS TO HIM FROM THE OTHER BY INTTESTATE SUCCESSION, BY STATUTORY SHARE, OR BY VIRTUE OF THE PROVISIONS OF A WILL EXECUTED BEFORE THE WAIVER OR PROPERTY SETTLEMENT.

REVISOR'S NOTE: This section presently appears as Art. 93, §3-205. A change is made in language.

3-206. TIME LIMITATION FOR MAKING ELECTION.

(A) GENERAL.

THE ELECTION BY A SURVIVING SPOUSE TO TAKE HIS ELECTIVE SHARE SHALL BE MADE NOT LATER THAN 30 DAYS AFTER THE EXPIRATION OF THE TIME FOR FILING CLAIMS. THE COURT MAY EXTEND THE TIME FOR ELECTION, BEFORE ITS EXPIRATION, FOR A PERIOD NOT TO EXCEED THREE MONTHS AT A TIME, UPON NOTICE GIVEN TO THE PERSONAL REPRESENTATIVE AND FOR GOOD CAUSE SHOWN.

(B) WITHDRAWAL.

THE SURVIVING SPOUSE MAY WITHDRAW HIS ELECTION AT ANY TIME WITHIN 30 DAYS AFTER THE EXPIRATION OF THE TIME