

FOR FILING CLAIMS.

REVISOR'S NOTE: This section presently appears as Art. 93, §3-206. It is divided into two subsections. The only changes are in style and language.

3-207. FORM OF ELECTION.

(A) WRITING.

AN ELECTION TO TAKE AN INTESTATE SHARE OF AN ESTATE OF A DECEDENT SHALL BE IN WRITING AND SIGNED BY THE SURVIVING SPOUSE OR OTHER PERSON ENTITLED TO MAKE THE ELECTION PURSUANT TO §3-204, AND SHALL BE FILED IN THE COURT IN WHICH THE PERSONAL REPRESENTATIVE OF THE DECEDENT WAS APPOINTED.

(B) FORM.

THE ELECTION MAY BE IN THIS FORM.

I, A. B., SURVIVING SPOUSE OF C. D., LATE OF THE COUNTY (CITY) OF....., RENOUNCE ALL PROVISIONS IN THE WILL OF C. D. AND ELECT TO TAKE MY INTESTATE SHARE OF HIS ESTATE.

(SIGNATURE)

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3-208. EFFECT OF ELECTION UPON WILL.

(A) NO BENEFITS UNDER WILL.

UPON THE ELECTION OF THE SURVIVING SPOUSE TO TAKE HIS INTESTATE SHARE OF THE PROPERTY OF THE DECEDENT, ALL PROPERTY OR OTHER BENEFITS WHICH WOULD HAVE PASSED TO THE SURVIVING SPOUSE UNDER THE WILL SHALL BE TREATED AS IF THE SURVIVING SPOUSE HAD DIED BEFORE THE EXECUTION OF THE WILL. THE SURVIVING SPOUSE AND A PERSON CLAIMING THROUGH HIM MAY NOT RECEIVE PROPERTY UNDER THE WILL.

(B) CONTRIBUTION TO PAYMENT OF INTESTATE SHARE OF SURVIVING SPOUSE.

IF THERE IS AN ELECTION TO TAKE AN INTESTATE SHARE, CONTRIBUTION TO THE PAYMENT OF IT SHALL BE PRORATED AMONG ALL LEGATEES. INSTEAD OF CONTRIBUTING AN INTEREST IN SPECIFIC PROPERTY TO THE INTESTATE SHARE, A LEGATEE MAY PAY THE SURVIVING SPOUSE IN CASH, OR OTHER PROPERTY