

ACCEPTABLE TO THE SPOUSE, AN AMOUNT EQUAL TO THE FAIR MARKET VALUE OF THE INTEREST IN SPECIFIC PROPERTY ON THE DATE THE ELECTION TO TAKE AN INTESTATE SHARE WAS MADE BY THE SPOUSE. UNLESS SPECIFICALLY PROVIDED IN THE WILL, A LEGATEE [[MAY]] IS NOT [[BE]] ENTITLED TO SEQUESTRATION OR COMPENSATION FROM ANOTHER LEGATEE, OR FROM ANOTHER PART OF THE ESTATE OF THE DECEDENT, EXCEPT THAT AN INTEREST RENOUNCED BY THE SURVIVING SPOUSE AND NOT INCLUDED IN THE SHARE OF THE NET ESTATE RECEIVED BY THE SURVIVING SPOUSE UNDER THIS SECTION MAY BE SUBJECT TO [[THE EQUITABLE PRINCIPAL OF]] SEQUESTRATION FOR THE BENEFIT OF INDIVIDUALS WHO ARE THE NATURAL OBJECTS OF THE BOUNTY OF THE DECEDENT, IN ORDER TO AVOID A SUBSTANTIAL DISTORTION OF THE INTENDED DISPOSITIONS OF THE TESTATOR.

REVISOR'S NOTE: This section presently appears as Art. 93, §3-208. The only changes are in style and language.

SUBTITLE 3. STATUTORY SHARE OF PRETERMITTED CHILD AND ISSUE.

3-301. WHEN ENTITLED TO SHARE.

(A) BIRTH AFTER EXECUTION OF WILL.

A WILL MAY NOT BE REVOKED BY THE SUBSEQUENT BIRTH, ADOPTION, OR LEGITIMATION OF A CHILD BY THE TESTATOR EXCEPT UNDER THE CIRCUMSTANCES REFERRED TO IN [[§4-104(C)]] §4-105(C).

(B) LEGACY TO A CHILD.

[[A CHILD DESCRIBED IN SUBSECTION (A), WHO DOES NOT SURVIVE THE TESTATOR, OR ANY OF HIS ISSUE WHO DO SURVIVE THE TESTATOR, IS ENTITLED TO A SHARE IN THE ESTATE TO BE DETERMINED AND PAID IN ACCORDANCE WITH §§3-302 AND 3-303, IF:]]

A CHILD DESCRIBED IN SUBSECTION (A) OR ISSUE, IF ANY, OF SUCH CHILD WHO DOES NOT SURVIVE THE TESTATOR, IS ENTITLED TO A SHARE IN THE ESTATE TO BE DETERMINED AND PAID IN ACCORDANCE WITH §3-302 AND §3-303, IF:

(1) THE WILL CONTAINS A LEGACY FOR A CHILD OF THE TESTATOR BUT MAKES NO PROVISION FOR A PERSON WHO BECOMES A CHILD OF THE TESTATOR SUBSEQUENT TO THE EXECUTION OF THE WILL;

(2) THE CHILD WAS BORN, ADOPTED, OR LEGITIMATED AFTER THE EXECUTION OF THE WILL;

(3) THE CHILD, [[AND]] OR HIS ISSUE, SURVIVE THE TESTATOR; AND