

(4) THE WILL DOES NOT EXPRESSLY STATE THAT THE CHILD, OR ISSUE, SHOULD BE OMITTED.

REVISOR'S NOTE: This section presently appears as Art. 93, §3-301. A subsection is added. The only changes are in style and language.

3-302. AMOUNT OF SHARE.

A CHILD PERMITTED TO SHARE IN THE ESTATE OF A DECEDENT PURSUANT TO §3-301 SHALL RECEIVE FROM THE PERSONAL REPRESENTATIVE AN AMOUNT EQUAL TO THE LESSER OF

(1) THE DISTRIBUTION WHICH THE CHILD WOULD HAVE TAKEN IN THE EVENT OF INTESTACY; OR

(2) THE VALUE OF ALL LEGACIES TO CHILDREN OF THE TESTATOR AND ISSUE OF DECEASED CHILDREN DIVIDED BY THE TOTAL NUMBER OF CHILDREN OF THE TESTATOR WHO SURVIVE HIM AND DECEASED CHILDREN LEAVING ISSUE WHO TAKE UNDER THIS SUBTITLE, INCLUDING THE PRETERMITTED CHILD. THE ISSUE OF A PRETERMITTED CHILD WHO DID NOT SURVIVE THE TESTATOR MAY TAKE THE AMOUNT BY REPRESENTATION.

REVISOR'S NOTE: This section presently appears as Art. 93, §3-302. The only changes are in style and language.

[[SEC.]] 3-303. PAYMENT.

PROPERTY DISTRIBUTED PURSUANT TO §3-302 SHALL BE PAID BY THE PERSONAL REPRESENTATIVE FROM THE LEGACIES OF CHILDREN OF THE TESTATOR AND ISSUE OF DECEASED CHILDREN WHO TAKE BY REPRESENTATION. EACH PERSON SHALL CONTRIBUTE IN THE PROPORTION WHICH HIS LEGACY BEARS TO ALL LEGACIES OF CHILDREN OF THE TESTATOR AND ISSUE OF DECEASED CHILDREN TAKING BY REPRESENTATION. INSTEAD OF CONTRIBUTING AN INTEREST IN SPECIFIC PROPERTY TO THE PRETERMITTED CHILD, A LEGATEE MAY PAY THE PRETERMITTED CHILD OR HIS ISSUE, IN CASH OR OTHER PROPERTY ACCEPTABLE TO THE PRETERMITTED CHILD OR HIS ISSUE, AN AMOUNT EQUAL TO THE FAIR MARKET VALUE OF THE INTEREST IN SPECIFIC PROPERTY AS OF THE DATE OF DEATH OF THE TESTATOR.

REVISOR'S NOTE: This section presently appears as Art. 93, §3-303. The only changes are in style and language.

TITLE 4. WILLS.

SUBTITLE 1. EXECUTION, REVOCATION, AND REVIVAL.

4-101. WHO MAY MAKE A WILL.