

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section 7-601(d) of Article - Estates and Trusts, of the Annotated Code of Maryland (1974 Volume and 1974 Supplement) be and it is hereby repealed:

Article - Estates and Trusts

7-601.

[(d) In the event of a sale of real property by the personal representative, the court, upon petition filed in reasonable detail, may allow such commission, if any, on the proceeds of the sale as it shall deem appropriate but which shall not exceed 10 percent.]

SECTION 2. AND BE IT FURTHER ENACTED, That new Section 7-601(d) be and it is hereby added to Article - Estates and Trusts, of the Annotated Code of Maryland (1974 Volume and 1974 Supplement) to read as follows:

Article - Estates and Trusts

7-601.

(D) (1) IN THE EVENT OF A SALE OF REAL PROPERTY BY THE PERSONAL REPRESENTATIVE, THE COURT, UPON PETITION FILED IN REASONABLE DETAIL, MAY ALLOW A COMMISSION ON THE PROCEEDS OF THE SALE AS IT SHALL CONSIDER APPROPRIATE BUT WHICH SHALL NOT EXCEED 10 PERCENT.

(2) IF THE PERSONAL REPRESENTATIVE RETAINS THE SERVICES OF A LICENSED REAL ESTATE BROKER TO AID IN THE SALE OF REAL PROPERTY, THE COMMISSIONS PAID TO THE REAL ESTATE BROKER ARE AN EXPENSE OF ADMINISTRATION AND MAY NOT BE DEDUCTED FROM THE COMMISSIONS ALLOWED BY THE COURT TO THE PERSONAL REPRESENTATIVE IN ACCORDANCE WITH SUBSECTION (A).

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1975.

Approved April 22, 1975.