

AN ACT concerning

Uniform Gifts to Minors Act - Release of Custodial Property

FOR the purpose of providing that in certain cases in which a minor has no guardian and there is no successor custodian, the minor may obtain custodial property without the necessity of petitioning a court to designate a successor custodian.

BY repealing and reenacting, with amendments,

Article - Estates and Trusts  
Section 13-307(d)  
Annotated Code of Maryland  
(1974 Volume and 1980 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article - Estates and Trusts

13-307.

(d) (1) If the minor has a guardian, and if a person designated as custodian or as successor custodian or by the custodian as provided in subsection (a) OF THIS SECTION is not eligible, dies or becomes legally incapacitated, the guardian of the minor shall be custodian or successor custodian.

(2) If the minor has no guardian and if no successor custodian who is eligible and has not died or become legally incapacitated has been designated as provided in subsection (a) OF THIS SECTION, a donor, his legal representative, the legal representative of the custodian or an adult member of the minor's family, or the minor, if he has attained the age of 14 years, may petition the court for the designation of a successor custodian. IF THE MINOR HAS BECOME ELIGIBLE TO RECEIVE THE CUSTODIAL PROPERTY BY HIS ATTAINMENT OF THE AGE SPECIFIED IN § 13-304(D) OF THIS SUBTITLE, A PETITION FOR THE DESIGNATION OF A SUCCESSOR CUSTODIAN NEED NOT BE FILED. THE MINOR MAY OBTAIN THE CUSTODIAL PROPERTY UPON PRESENTATION BY THE MINOR OF EVIDENCE:

(I) OF THE LEGAL INCAPACITY OR DEATH OF THE CUSTODIAN; AND

(II) THAT THE MINOR HAS ATTAINED THE SPECIFIED AGE.

(3) Nothing in this subsection shall affect the power of a personal representative or trustee to appoint a