

(a) Unless a contrary intent is expressly indicated in the will, a legacy may not lapse or fail because of the death of a legatee after the execution of the will but prior to the death of the testator if the legatee is:

- (1) Actually and specifically named as legatee;
- (2) Described or in any manner referred to, designated, or identified as legatee in the will; or
- (3) A member of a class in whose favor a legacy is made.

(b) A legacy described in subsection (a) shall have the same effect and operation in law to direct the distribution of the property directly from the estate of the person who owned the property to those persons who would have taken the property if the legatee had died, testate or intestate, owning the property.

(c) Creditors of the deceased legatee shall have no interest in the property, whether the claim is based on contract, tort, tax obligations, or any other item.

12-102.

(d) Title 4 applies to any will executed on or after 12:01 a.m. on January 1, 1970, except that § 4-105 applies to any act or acts of revocation occurring on or after January 1, 1970. As to the rules relating to any will executed before January 1, 1970, the law before January 1, 1970 shall be applicable, EXCEPT THAT § 4-403 APPLIES TO THE LEGACY OF ANY TESTATOR WHO DIES ON OR AFTER ~~JANUARY 1, 1970~~ JULY 1, 1983. The provisions of § 4-411 apply to a legacy made by a testator living on June 1, 1959, or born after that date without regard to the date of the execution of the will, the trust instrument, or an amendment to it. Section 4-411 shall not be construed as casting doubt upon the validity of (1) a legacy made by a testator who died prior to June 1, 1959, or (2) a legacy which does not come within the provisions of the section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1983.

Approved May 24, 1983.

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CHAPTER 409

(House Bill 201)

AN ACT concerning