

personal representative, trustee, or fiduciary holds an interest to determine compliance with an environmental law and respond to certain liability relating to the property; and generally relating to ~~limited liability companies and partnerships~~ the powers of personal representatives, trustees, and fiduciaries.

BY repealing and reenacting, with amendments,

Article - Estates and Trusts

Section 7-401(cc)(1), 14-108(b)(1), and 15-102(z)(1)

Annotated Code of Maryland

(2001 Replacement Volume and 2005 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Estates and Trusts

7-401.

(cc) (1) To comply with an environmental law, a personal representative may:

(i) Inspect property held by the personal representative, including any type of interest in a sole proprietorship, partnership, LIMITED LIABILITY COMPANY, or corporation, and any assets owned by a sole proprietorship, partnership, LIMITED LIABILITY COMPANY, or corporation to determine compliance with an environmental law and respond to an actual or potential environmental liability relating to the property;

(ii) Before or after the initiation of a claim or a governmental enforcement action, take any action necessary to prevent, abate, or otherwise remedy an actual or potential environmental liability relating to property held by the personal representative;

(iii) Settle or compromise at any time a claim against the estate based on an alleged environmental liability that may be asserted by any person; and

(iv) Pay from the estate the costs of an inspection, review, study, abatement, response, cleanup, or other remedial action that involves an environmental liability as provided under § 15-524 of this article.

14-108.

(b) (1) To comply with an environmental law, a trustee may:

(i) Inspect property held by the trustee, including any type of interest in a sole proprietorship, partnership, LIMITED LIABILITY COMPANY, or corporation, and any assets owned by a sole proprietorship, partnership, LIMITED LIABILITY COMPANY, or corporation, to determine compliance with an environmental law and respond to an actual or potential environmental liability relating to the property;