

(D) APPLICABLE RATE BEFORE JUNE 1, 1975.

IF A DECEDENT DIED ON OR BEFORE MAY 31, 1975, THE RATE OF THE INHERITANCE TAX IS THE RATE IN EFFECT ON THE DATE OF THE DECEDENT'S DEATH.

REVISOR'S NOTE: Subsection (a) of this section is new language added to clarify a term of art that is used in describing the value of a decedent's estate. For a discussion of "clear value", see Bouse v. Hutzler, 180 Md. 682, 686 (1942).

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 81, § 149(b), (c), and, as it related to tax rates, (a) and the second sentence of § 150(b) and, as it related to tax rates, the first sentence of (a).

The introductory language of subsection (b) of this section, "[e]xcept as provided in subsection (c) of this section", is substituted for the former enumeration of those individuals who are subject to the 1% tax rate under subsection (c) of this section, for brevity.

In subsection (c)(1)(i) of this section, the word "grandparent" is substituted for the former words "grandfather" and "grandmother", for brevity. Similarly, in subsection (c)(1)(ii) of this section, the word "parent" is substituted for the former words "father" and "mother" and, in subsection (c)(1)(iii) of this section, the word "spouse" is substituted for the former words "husband" and "wife".

In subsection (c)(1)(vi) of this section, the former reference to the "value of a bequest made of assets" is deleted as unnecessary in light of the defined term "clear value".

In subsection (c)(2) of this section, the former references to "any amount in excess of that amount to be taxed at the collateral rate provided in § 150" are deleted as surplusage.

Also in subsection (c)(2) of this section, the former phrases "at the death of the decedent" are deleted as surplusage.

The Tax - General Article Review Committee notes that the General Assembly may wish to consider with regard to subsection (c)(2) of this section: (1) whether all other property that passes from a decedent to the spouse of a lineal descendant of the decedent also should be entitled to the 1% lineal rate; and (2)