

the property devolves as if the disclaimant was domiciled in the State; and providing for the application of this Act.

BY repealing and reenacting, with amendments,

Article - Estates and Trusts
Section 9-204(a)(1) and (b)(1)
Annotated Code of Maryland
(1974 Volume and 1988 Supplement)

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

Article - Estates and Trusts

9-204.

(a) If property or an interest in it devolved to a disclaimant under a testamentary instrument, under a power of appointment exercised by a testamentary instrument, or under the laws of intestacy, unless the deceased owner or deceased donee of a power of appointment has provided otherwise:

(1) Where devolution to the disclaimant is expressly conditioned on the disclaimant's survival of the deceased owner or the deceased donee of the power of appointment, the property or interest disclaimed devolves as if the disclaimant had died immediately before the deceased owner or the deceased donee of the power. Except where devolution to the disclaimant is conditioned expressly on the disclaimant's survival of the deceased owner or the deceased donee of the power of appointment, the property or interest disclaimed devolves directly to those persons who would have taken the property or interest if the disclaimant had died, intestate, DOMICILED IN THE STATE OF MARYLAND, owning the property or interest, immediately before the deceased owner or the deceased donee of the power.

(b) If property or an interest in it devolved to a disclaimant under a nontestamentary instrument or contract, or under a power of appointment exercised by a nontestamentary instrument, unless the instrument or contract has provided otherwise:

(1) Where devolution to the disclaimant is expressly conditioned on the disclaimant's survival to the effective date of the instrument or contract, the property or interest disclaimed devolves as if the disclaimant had died immediately before the effective date of the instrument or contract. Except where devolution to the disclaimant is conditioned expressly on the disclaimant's survival to the effective date of the instrument or contract, the property or interest disclaimed devolves directly to those persons who would have taken the