

Approved May 27, 1993.

**CHAPTER 416**

**(Senate Bill 216)**

AN ACT concerning

**Estates and Trusts – Administration of Small Estates – Personal Representative – Bond**

FOR the purpose of requiring the personal representative of a small estate that is established to have a certain value to give bond unless it is expressly excused by the will or by the written waiver of all interested persons; providing for the application of this Act; and generally relating to the giving of a bond by the personal representative of a small estate.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 5-604(a)

Annotated Code of Maryland

(1991 Replacement Volume and 1992 Supplement)

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

**Article – Estates and Trusts**

5-604.

(a) (1) [Any] UNLESS BOND IS EXPRESSLY EXCUSED BY THE WILL OR BY THE WRITTEN WAIVER OF ALL INTERESTED PERSONS, A person appointed as a personal representative in accordance with § 5-603(A)(1) OF THIS SUBTITLE SHALL BE REQUIRED TO GIVE BOND IF THE ESTATE IS ESTABLISHED TO HAVE A GROSS VALUE OF ~~\$5,000~~ \$10,000 OR MORE AFTER THE PAYMENT OF EXPENSES AND ALLOWANCES UNDER § 5-603(A)(2) OF THIS SUBTITLE.

(2) IF THE ESTATE IS ESTABLISHED TO HAVE A GROSS VALUE OF LESS THAN ~~\$5,000~~ \$10,000 AFTER THE PAYMENT OF EXPENSES AND ALLOWANCES UNDER § 5-603(A)(2) OF THIS SUBTITLE, A PERSON APPOINTED AS A PERSONAL REPRESENTATIVE IN ACCORDANCE WITH § 5-603(A)(1) OF THIS SUBTITLE may not be required to give bond [or be entitled to receive commissions for the performance of his duties as personal representative].

(3) A PERSONAL REPRESENTATIVE UNDER THIS SUBTITLE IS NOT ENTITLED TO RECEIVE COMMISSIONS FOR THE PERFORMANCE OF THE DUTIES OF A PERSONAL REPRESENTATIVE.