

SECTION 2. AND BE IT FURTHER ENACTED, That the position of Inspector III LB is changed to that of Assistant Inspector Supervisor. This change in title does not affect in any way the job tenure of the person who holds that position on the effective date of this Act.

SECTION 2-3. AND BE IT FURTHER ENACTED, That the provisions of this Act are not intended to have any effect on may not be construed to apply to any legal proceeding that is pending on October 1, 1997.

SECTION 2-4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

Approved May 22, 1997.

CHAPTER 619

(Senate Bill 693)

AN ACT concerning

Power of Attorney - Durability

FOR the purpose of establishing that if when a principal ~~makes certain designations designates an attorney in fact or agent~~ by a power of attorney in writing, the power of attorney is a durable power of attorney unless otherwise provided by the terms of the writing; defining the term "durable power of attorney"; providing for the application of this Act; providing for the effective date of this Act; and generally relating to powers of attorney.

BY repealing and reenacting, with amendments,

Article - Estates and Trusts

Section 13-601

Annotated Code of Maryland

(1991 Replacement Volume and 1996 Supplement)

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

Article - Estates and Trusts

13-601.

(A) IN THIS SECTION, "DURABLE POWER OF ATTORNEY" MEANS A POWER OF ATTORNEY BY WHICH A PRINCIPAL DESIGNATES ANOTHER AS AN ATTORNEY IN FACT OR AGENT AND THE AUTHORITY IS EXERCISABLE NOTWITHSTANDING THE PRINCIPAL'S SUBSEQUENT DISABILITY OR INCAPACITY.

[(a)](B) Except as provided in subsection [(d)] (E) of this section, [if] WHEN a principal designates [his] ANOTHER AS AN attorney in fact or agent by a power of