

to be applied against the Maryland estate tax; and generally relating to certain refunds of Maryland estate tax and inheritance tax.

BY repealing and reenacting, with amendments,

Article - Tax - General  
Section 7-304(b)  
Annotated Code of Maryland  
(1988 Volume and 1996 Supplement)

BY adding to

Article - Tax - General  
Section 13-906  
Annotated Code of Maryland  
(1988 Volume and 1996 Supplement)

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

**Article - Tax - General**

7-304.

(b) (1) Except as otherwise provided in this subsection, the Maryland estate tax is the amount, if any, by which the federal credit exceeds the total of death taxes other than the Maryland estate tax that:

(i) are imposed by a state on property included in the Maryland estate;

(ii) are allowable in computing the federal credit; and

(iii) EXCEPT AS PROVIDED IN § 13-906 OF THIS ARTICLE, have actually been paid out of the Maryland estate and received by the appropriate unit of this State.

(2) The Maryland estate tax may not exceed the amount whose timely payment in accordance with federal law would reduce the amount of the federal estate tax payable out of the Maryland estate had this subtitle not been enacted.

13-906.

(A) IN THIS SECTION, "REGISTER" MEANS THE REGISTER OF WILLS OF A COUNTY.

(B) (1) IF A PERSON IS REQUIRED TO PAY INHERITANCE TAX THE PAYMENT OF WHICH WOULD REDUCE THE MARYLAND ESTATE TAX IMPOSED ON AN ESTATE AND WOULD ENTITLE THE ESTATE TO A MARYLAND ESTATE TAX REFUND, ON THE WRITTEN REQUEST OF THE PERSONAL REPRESENTATIVE OF THE ESTATE, THE COMPTROLLER MAY PAY DIRECTLY TO THE REGISTER, TO BE APPLIED