

(ii) "Qualified terminable interest property" means property described in § 2056(b)(7) of the Internal Revenue Code.

(2) If a will or other controlling instrument executed on or before September 12, 1981 contains a marital deduction formula clause, an election by the personal representative or other authorized person to treat property not transferred pursuant to the clause as qualified terminable interest property for purposes of the estate tax marital deduction under the tax law of the United States shall neither increase nor decrease the amount or fraction of the estate, trust, or other fund transferred pursuant to the clause, unless a codicil to the will or amendment to another controlling instrument executed after September 12, 1981 shall expressly otherwise provide.

SUBTITLE 5. MARYLAND UNIFORM PRINCIPAL AND INCOME ACT.

PART I. DEFINITIONS; FIDUCIARY DUTIES.

15-501. DEFINITIONS.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) "ACCOUNTING PERIOD" MEANS A CALENDAR YEAR UNLESS ANOTHER 12-MONTH PERIOD IS SELECTED BY A FIDUCIARY.

(2) "ACCOUNTING PERIOD" INCLUDES A PORTION OF A CALENDAR YEAR OR OTHER 12-MONTH PERIOD THAT BEGINS WHEN AN INCOME INTEREST BEGINS OR ENDS WHEN AN INCOME INTEREST ENDS.

(C) "BENEFICIARY" INCLUDES, IN THE CASE OF A DECEDENT'S ESTATE, AN HEIR AND LEGATEE AND, IN THE CASE OF A TRUST, AN INCOME BENEFICIARY AND A REMAINDER BENEFICIARY.

(D) (1) "FIDUCIARY" MEANS A PERSONAL REPRESENTATIVE OR A TRUSTEE.

(2) "FIDUCIARY" INCLUDES AN EXECUTOR, ADMINISTRATOR, SUCCESSOR PERSONAL REPRESENTATIVE, SPECIAL ADMINISTRATOR, AND A PERSON PERFORMING SUBSTANTIALLY THE SAME FUNCTION.

(E) (1) "INCOME" MEANS MONEY OR PROPERTY THAT A FIDUCIARY RECEIVES AS CURRENT RETURN FROM A PRINCIPAL ASSET.

(2) "INCOME" INCLUDES A PORTION OF RECEIPTS FROM A SALE, EXCHANGE, OR LIQUIDATION OF A PRINCIPAL ASSET, TO THE EXTENT PROVIDED IN PART IV OF THIS SUBTITLE.

(F) "INCOME BENEFICIARY" MEANS A PERSON TO WHOM NET INCOME OF A TRUST IS OR MAY BE PAYABLE.