

(1999 Replacement Volume and 1999 Supplement)

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

**Article - Family Law**

[5-1043.

(a) If a father dies after a court declares him to be the father of a child or orders the father to make support payments under this subtitle, the court, on notification of the father's death, may issue a summons for:

- (1) the personal representative of the father;
- (2) the heirs of the father;
- (3) the sureties on any bond the father may have given; and
- (4) the mother or other person who has charge of the child.

(b) (1) On proof of the amount of the deceased father's estate, the court may order that the amount the court considers proper for the support of the child be paid out of the estate.

(2) The court may not order paid from the deceased father's estate an amount that is more than:

(i) one-half the amount that a child of the deceased father born in wedlock would receive; or

(ii) one-half the amount the descendants of a child of the deceased father born in wedlock would receive as a class.

(3) Any money ordered to be paid from a deceased father's estate under this subtitle shall be charged as a debt against the estate.

(c) On payment of the amount ordered under this section:

(1) any bond given by the deceased father in the paternity proceeding shall be canceled; and

(2) the sureties on the bond shall be discharged.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect on or application to any summons issued by a court and orders by the court for payment of an amount for support of a child from a deceased father's estate regarding a father ~~that~~ who dies before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2000.

Approved May 11, 2000.