(II)   IF AN APPEAL IS FILED FROM THE FINAL ORDER OF AN ORPHANS' COURT OR A CIRCUIT COURT REMOVING A PERSONAL REPRESENTATIVE AND THE COURT APPOINTED A SUCCESSOR PERSONAL REPRESENTATIVE, THE SUCCESSOR PERSONAL REPRESENTATIVE SHALL HAVE THE POWERS OF A SPECIAL ADMINISTRATOR.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any appeal filed before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2003.

May 22, 2003

The Honorable Michael E. Busch
Speaker of the House
State House
Annapolis MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, today I have vetoed House Bill 240 – Estates – Elective Share.

This bill revises elements of defining and allocating an elective share of a surviving spouse and alters the period during which an election for an elective share shall be made.

Senate Bill 312, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 240.

Sincerely,
Robert L. Ehrlich, Jr.
Governor

House Bill No. 240

AN ACT concerning

Estates – Elective Share

FOR the purpose of providing that the net estate and property allocable to an elective share of a surviving spouse shall be valued in a certain manner; providing that an elective share includes certain income earned on the net estate during the period of administration; providing for an adjustment of an elective share based on a prior distribution to a surviving spouse; altering the period during which a surviving spouse may make an election for an elective share under certain circumstances; altering the persons who may make a payment to a surviving spouse and the method of valuation of certain property if an interest in specific property is not contributed to the surviving spouse's elective share; defining a