

Parris N. Glendening
Governor

House Bill No. 1208

AN ACT concerning

Estates and Trusts – First Notices – ~~Ordinary~~ First Class Mail

FOR the purpose of repealing the requirement that certain first notices be deposited as restricted delivery mail; establishing that certain first notices are sufficient if deposited as ~~ordinary~~ first class mail; authorizing the orphans' court to require or a personal representative to elect to have certain first notices delivered by restricted delivery mail at the expense of the estate; and generally relating to required notices under the Estates and Trusts Article.

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 1-103(a) and (b)
Annotated Code of Maryland
(1991 Replacement Volume and 1995 Supplement)

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

Article – Estates and Trusts

1-103.

(a) (1) Unless personal service or some other method of notice is expressly required in this article or by the Maryland Rules, the first notice required [or permitted] to be given a person is sufficient if deposited as [restricted delivery mail] ~~ORDINARY FIRST CLASS MAIL~~, postage prepaid, [return receipt requested,] addressed to the addressee at the address last known to the SENDER [sender, with delivery restricted to the addressee].

(2) AT THE EXPENSE OF THE ESTATE, THE ORPHANS' COURT MAY REQUIRE OR THE PERSONAL REPRESENTATIVE MAY ELECT TO HAVE THE FIRST NOTICE GIVEN BY RESTRICTED DELIVERY MAIL, POSTAGE PREPAID, RETURN RECEIPT REQUESTED, ADDRESSED TO THE ADDRESSEE AT THE ADDRESS LAST KNOWN TO THE SENDER, WITH DELIVERY RESTRICTED TO THE ADDRESSEE.

(b) A subsequent notice is sufficient if deposited as [ordinary] FIRST CLASS mail, postage prepaid, addressed to the same address at which the first notice was received[, as evidenced by return through the post office of the return receipt for the notice,] or, after notice in writing from the addressee of a change of address, to his new address.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1996.