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Succession—Abandonment or Failure to Support  
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**HOUSE BILL 154: ESTATES & TRUSTS – INTESTATE SUCCESSION – ABANDONMENT OR  
FAILURE TO SUPPORT MINOR CHILD**

By Marlena J. Reed

House Bill 154 repeals and reenacts, with amendments and additions, the Estates and Trusts Article, Section 3-104 and Section 3-112 of the Annotated Code of Maryland. House Bill 154 was passed on April 7, 2001, by an overwhelming majority of the House of Delegates and the Senate. Specifically, the Bill precludes a parent from inheriting by intestate succession from a minor child of that parent, when the parent either abandons or willfully fails to contribute to a minor child's support. Specifically, Section 3-112 defines abandonment as a willful and intentional relinquishment of all parental rights and duties and a renouncement of the child entirely.

Under the current version of Section 3-104(b), a child's estate will be distributed equally between surviving parents. As a result of House Bill 154, the provisions in Section 3-104(b) are limited by the provisions added to Section 3-112. Under the current version of Section 3-112, 3-104(b) is inapplicable to a parent who abandons a child or willfully fails to pay any child support in violation of a court order for three consecutive years.

The Bill will take effect on October 1, 2001.