

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in section 1 in §7-749 in subsection (d) by striking out all of paragraph (1) (page 2, lines 1 to 3 in L.D.) and inserting the following:

'(1). That qualifies for the marital deduction under the federal Internal Revenue Code, 26 United States Code, Section 2056(b)(7) (2010), as amended, and for which either such an election has been made for federal purposes or for which an election under the pertinent provisions of the laws of the State to qualify as Maine qualified terminable interest property has been made; or'

SUMMARY

This amendment provides that an election that qualifies for a marital deduction under federal law also applies to property that will not be used to qualify for the federal marital deduction but will be needed for qualification as a Maine qualified terminable interest property.