

ARTICLE 2

INTESTATE SUCCESSION AND WILLS

PART 1

INTESTATE SUCCESSION

§2-101. Intestate estate

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-102. Share of spouse or registered domestic partner

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2003, c. 672, §6 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-103. Share of heirs other than surviving spouse or surviving registered domestic partner

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1981, c. 94 (AMD). PL 2003, c. 672, §7 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-104. Requirement that heir survive decedent for 120 hours

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-105. No taker

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2011, c. 241, §1 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-106. Per capita at each generation

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-107. Kindred of half blood

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-108. Afterborn heirs**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-109. Meaning of child and related terms**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1987, c. 736, §37 (AMD). PL 1993, c. 686, §1 (AMD). PL 1993,
c. 686, §13 (AFF). PL 1995, c. 694, §C6 (AMD). PL 1995, c. 694, §E2 (AFF). PL 2015, c. 296,
Pt. C, §3 (AMD). PL 2015, c. 296, Pt. D, §1 (AFF). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017,
c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-110. Advancements**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-111. Debts to decedent**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-112. Alienage**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-113. Dower and curtesy abolished**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-114. Persons related to decedent through 2 lines**(REPEALED)**

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

PART 2

ELECTIVE SHARE OF SURVIVING SPOUSE

§2-201. Right to elective share

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1983, c. 441, §1 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-202. Augmented estate

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1983, c. 441, §2 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-203. Right of election personal to surviving spouse

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2009, c. 571, Pt. UU, §1 (RPR). PL 2009, c. 571, Pt. UU, §2 (AFF). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-204. Waiver of right to elect and of other rights

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-205. Proceeding for elective share; time limit

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-206. Effect of election on benefits provided by statute

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-207. Charging spouse with gifts received; liability of others for balance of elective share

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

PART 3

SPOUSE AND CHILDREN UNPROVIDED FOR IN WILLS

§2-301. Omitted spouse

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-302. Pretermitted children

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

PART 4

EXEMPT PROPERTY AND ALLOWANCES

§2-401. Homestead allowance

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2001, c. 57, §1 (AMD). PL 2009, c. 150, §1 (AMD). PL 2017,
c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-402. Exempt property

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1983, c. 441, §3 (AMD). PL 1983, c. 480, §A14 (AMD). PL
1985, c. 506, §A19 (RPR). PL 2001, c. 57, §2 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL
2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-403. Family allowance

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-404. Source, determination and documentation

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2001, c. 57, §3 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-405. Estate property exempt

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1983, c. 480, §A14 (AMD). RR 2003, c. 1, §11 (COR). PL 2009, c. 150, §2 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

PART 5

WILLS

§2-501. Who may make a will

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-502. Execution

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-503. Holographic will

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-504. Self-proved will

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-505. Who may witness

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1979, c. 690, §4 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-506. Choice of law as to execution

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2005, c. 353, §1 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-507. Revocation by writing or by act

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-508. Revocation by divorce; no revocation by other changes of circumstances

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-509. Revival of revoked will

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-510. Incorporation by reference

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-511. Testamentary additions to trusts

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-512. Events of independent significance

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-513. Separate writing identifying bequest of tangible property

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-514. Statutory wills

(REPEALED)

SECTION HISTORY

PL 1983, c. 376 (NEW). PL 1983, c. 816, §A7 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

PART 6

RULES OF CONSTRUCTION

§2-601. Requirement that devisee survive testator by 120 hours

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-602. Choice of law as to meaning and effect of wills

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-603. Rules of construction and intention

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-604. Construction that will passes all property; after-acquired property

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-605. Anti-lapse; deceased devisee; class gifts

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-606. Failure of testamentary provision

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-607. Change in securities; accessions; nonademption

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-608. Nonademption of specific devises in certain cases; unpaid proceeds of sale, condemnation or insurance; sale by conservator

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-609. Nonexoneration

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-610. Exercise of power of appointment

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-611. Construction of generic terms in wills and trust instruments

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1989, c. 695 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017,
c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-612. Ademption by satisfaction

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

PART 7

CONTRACTUAL ARRANGEMENTS RELATING TO DEATH

§2-701. Contracts concerning succession

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

PART 8

GENERAL PROVISIONS

§2-801. Renunciation of property interests

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-802. Effect of divorce, annulment and decree of separation

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-803. Effect of homicide on intestate succession, wills, joint assets, life insurance and beneficiary designations

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-804. Actions for wrongful death

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1981, c. 213 (AMD). PL 1989, c. 340 (AMD). PL 1991, c. 187 (AMD).
PL 1995, c. 577, §1 (AMD). PL 1999, c. 772, §1 (AMD). PL 2007, c. 280, §1 (AMD). PL 2009, c. 180, §1 (AMD).
PL 2015, c. 451, §1 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

§2-805. Simultaneous death

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1991, c. 824, §A26 (AMD). PL 2017, c. 402, Pt. A, §1 (RP).
PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-806. Effect of criminal conviction on intestate succession, wills, joint assets, beneficiary designations and other property acquisition when restitution is owed to the decedent

(REPEALED)

SECTION HISTORY

PL 2011, c. 241, §2 (NEW). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF).
PL 2019, c. 417, Pt. B, §14 (AFF).

PART 9

CUSTODY AND DEPOSIT OF WILLS

§2-901. Disposition of will deposited with court

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1997, c. 76, §1 (AMD). PL 1997, c. 683, §C3 (AMD). PL 1997, c. 683, §C4 (AFF). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

§2-902. Duty of custodian of will; liability

(REPEALED)

SECTION HISTORY

PL 1979, c. 540, §1 (NEW). PL 1983, c. 706 (AMD). PL 1993, c. 148, §5 (AMD). PL 2017, c. 402, Pt. A, §1 (RP). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF).

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