

# SENATE BILL 267

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8lr2529  
CF 8lr2021

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By: **Senator Lee**

Introduced and read first time: January 22, 2018

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Estates and Trusts – Maryland Trust Act – Governing Law of Trust Provisions**

3 FOR the purpose of providing for the determination of the jurisdictional law governing the  
4 meaning and effect of the terms of a trust under the Maryland Trust Act; and  
5 generally relating to the Maryland Trust Act.

6 BY adding to

7 Article – Estates and Trusts

8 Section 14.5–107

9 Annotated Code of Maryland

10 (2017 Replacement Volume)

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

13 **Article – Estates and Trusts**

14 **14.5–107.**

15 **THE MEANING AND EFFECT OF THE TERMS OF A TRUST ARE DETERMINED BY:**

16 **(1) THE LAW OF THE JURISDICTION DESIGNATED IN THE TERMS**  
17 **UNLESS THE DESIGNATION OF THAT JURISDICTION’S LAW IS CONTRARY TO A**  
18 **STRONG PUBLIC POLICY OF THE JURISDICTION HAVING THE MOST SIGNIFICANT**  
19 **RELATIONSHIP TO THE MATTER AT ISSUE; OR**

20 **(2) IN THE ABSENCE OF A CONTROLLING DESIGNATION IN THE TERMS**  
21 **OF THE TRUST, THE LAW OF THE JURISDICTION HAVING THE MOST SIGNIFICANT**  
22 **RELATIONSHIP TO THE MATTER AT ISSUE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2   October 1, 2018.