

**TITLE 8: FAMILY LAW AND PROBATE**  
**DIVISION 2: PROBATE LAW AND PROCEDURE**

**§ 2315. Renunciation of Succession.**

(a) A person (or his personal representative) who is an heir, devisee, a person succeeding to a renounced interest, or beneficiary under a testamentary instrument may renounce in whole or in part the succession to any property or interest, including a future interest, by filing a written instrument within the time and at the place provided in this section. The instrument shall:

- (1) Describe the property or any part or interest in the property renounced;
- (2) Be signed by the person renouncing; and
- (3) Declare the renunciation and the extent of the renunciation.

(b) The writing specified in subsection (a) of this section must be filed within two months after the death of the decedent, or if the taker of the property is not then finally ascertained, not later than two months after the event by which the taker or the interest is finally ascertained. The writing must be filed in the Commonwealth Trial Court. A copy of the writing shall also be mailed to the personal representative of the decedent.

(c) Unless the decedent has otherwise indicated by his or her will, the interest renounced, and any future interest which is to take effect in possession or enjoyment at or after the termination of the interest renounced, passes as if the person renouncing had predeceased the decedent. In every case the renunciation relates back for all purposes to the date of death of the decedent.

(d) Any

(1) Assignment, conveyance, encumbrance, pledge, or transfer of property therein or any contract therefor;

(2) Written waiver of the right to renounce or any acceptance of property by an heir, devisee, person succeeding to a renounced interest, or beneficiary;  
or

(3) Sale or other disposition of property pursuant to judicial process; made before the expiration of the period in which he is permitted to renounce, bars the right to renounce as to the property.

(e) This section does not abridge the right of any person to assign, convey, release, or renounce any property arising under any other section of this law or other statute.

**Source:** PL 3-106, ch. 3, § 15.