Form MET 1
Rev. 07/26

USE THIS AREA FOR DATE STAMPS

2026

26M100049

COMPTROLLER of MARYLAND
SERVING THE PEOPLE

Revenue Administration Division
P.O. Box 828
Annapolis, MD 21404-0828

DO NOT WRITE IN THIS AREA
Reference Numbers
Comptroller: _____
Register: _____

MARYLAND ESTATE TAX RETURN

To be used for decedents dying after December 31, 2018
Attach the Federal Estate Tax Return, Form 706. Please print or type.

▶☐ Original return ▶☐ Surviving Spouse ▶☐ Alternate Valuation ▶☐ Refund claimed ▶☐ MD Portability
▶☐ Amended return ▶☐ State-only QTIP ▶☐ MD Qualified Ag Property Exclusion ▶☐ Alternate payment plan requested

Federal estate tax return has been or will be filed with the IRS: ▶☐ Required ▶☐ Portability election ▶☐ Other

SECTION I

Decedent information: ▶☐ Nonresident _____ (indicate Maryland county in which taxable property is located)

First Name | Middle name | Last name | Social Security number

Address at date of death (Po Box, Number, Street and Apt. No.)

Address Line 2 (Apt No., Suite No., Floor No.)

City | County | State | ZIP code

Date of death | Due date of return (nine months after date of death) | Extended due date of return (Attach copy of extension)

SECTION II

Person(s) responsible for filing the Maryland estate tax return:
Attach continuing schedule in same format, including signature, if there are more than two persons responsible for filing the return.

First Name | Middle name | Last name | Social Security number

Complete Mailing Address (Po Box, Number, Street and Apt. No.)

Address Line 2 (Apt No., Suite No., Floor No.)

City | County | State | ZIP code

First Name | Middle name | Last name | Social Security number

Complete Mailing Address (Po Box, Number, Street and Apt. No.)

Address Line 2 (Apt No., Suite No., Floor No.)

City | County | State | ZIP code

26M100149

SECTION II

Attorney or contact person where correspondence should be sent:

Business Name

First Name | Middle name | Last name | Phone number

Complete Mailing Address (Po Box, Number, Street and Apt. No.)

Address line 2 (Apt No., Suite No., Floor No.) | E-mail address

City | County | State | ZIP code

SECTION II

☐ I authorize the Estate Tax Unit to contact me at the e-mail address indicated above if additional information is required.
Note: official notices and closing letters will not be sent via e-mail.

Affidavit of person(s) responsible for filing the Maryland estate tax return:
Under the penalties of perjury, I certify that I have examined this return, including schedules and the federal Form 706, and that these documents are true, correct and complete to the best of my knowledge, information and belief.

Signature | Date

Signature | Date

Signature | Date

Signature | Date

SECTION III

Certification of Register of Wills:

I, _____Register of Wills for_____

hereby certify that Maryland inheritance taxes totaling _____ have been paid as of _____

Signed _____

Form MET 1
Rev. 07/26

26M100249

Decedent information:

First name | Middle name | Last name | Social Security number

COMPUTATION OF MARYLAND ESTATE TAX

for estates of decedents dying after December 31, 2018

Do not write in this area Comptroller's use only

SECTION IV

1. Federal total gross estate (from line 1, federal Form 706) . . . ▶1. $ _____ . ___
2. Property for which a QTIP election was previously made on a form MET 1 filed for the estate of the decedent's pre-deceased spouse (to the extent not included in line 1) (from line 1 of Schedule C) . . . . . ▶2. $ _____ . ___
3. Augmented gross estate (add lines 1 and 2) . . . . . 3. $ _____ . ___
4. Federal total allowable deductions (from line 2, federal Form 706) ▶4. $ _____ . ___
5. Maryland QTIP election this return (from line 1 of Schedule D) ▶5. $ _____ . ___
6. Total deductions (add lines 4 and 5) . . . . . 6. $ _____ . ___
7. Maryland estate tax base (subtract line 6 from line 3). Do not enter less than zero$ . . . . . .7. _____ . ___
8. Complete lines 8b-8c. Subtract 8c from line 7 and enter here (Do not enter less than zero) If line 8 is zero, skip lines 9 through 14 and enter zero on line 15 . . . . . 8. $ _____ . ___

   a. Maryland estate tax exclusion amount . . . . 8a. $ **5,000,000.00**

   b. Enter the Maryland deceased spousal unused exclusion amount from Schedule F, Part II, Line 3 if applicable. Otherwise enter zero . . 8b. $ _____ . ___

   c. Total (add lines 8a and 8b) . . . . . 8c. $ _____ . ___

9. Multiply line 8 by 16% (.16) . . . . . 9. $ _____ . ___

COMPLETE AND ATTACH MARYLAND SCHEDULE B FOR LINE 10

10. Allowable maximum credit for state death taxes (from line 13 of Schedule B) . . . . . 10. $ _____ . ___

IF LINE 10 IS ZERO, OR IF ALL PROPERTY WITHIN THE AUGMENTED GROSS ESTATE HAS A MARYLAND TAX SITUS, SKIP TO LINE 13

11. Percentage of Maryland estate to augmented gross estate (Schedule A, line 27)% ___ . ___ %

12. Maryland apportioned credit (line 11 times line 10) . . . . . 12. $ _____ . ___

13. Gross Maryland estate tax liability (enter the lesser of lines 9, 10 and 12, whichever is applicable) . . . . . 13. $ _____ . ___

14. a. Maryland inheritance tax paid . . . . . 14a. $ _____ . ___

    b. Death tax paid to another state on assets also included in the Maryland estate . . . ▶ 14b. $ _____ . ___

    c. Total (add lines 14a and 14b) . . . . . 14c. $ _____ . ___

15. Net Maryland estate tax (line 13 minus line 14c) . . . . . 15. $ _____ . ___

16. a. Estimated tax previously remitted . . . . ▶ 16a. $ _____ . ___

    b. Maryland estate tax previously remitted (amended returns only) . . . . . ▶ 16b. $ _____ . ___

    c. Total (add lines 16a and 16b) . . . . . 16c. $ _____ . ___

17. Maryland estate tax due or (overpayment) (line 15 minus line 16c) . . 17. $ _____ . ___

18. Interest charges . . . . . ▶ 18. $ _____ . ___

19. Penalty charges . . . . . ▶ 19. $ _____ . ___

20. Total balance due or (overpayment)(add lines 17, 18, and 19) . . 20. $ _____ . ___

21. Amount of overpayment to be refunded . . . . . **REFUND** ▶ _____ . ___

22. Total balance due . . . . . **Pay in full when filing this return** ▶ _____ . ___

INSTRUCTIONS - SECTIONS I - IV OF MET 1

26M100349

For estates of decedents dying after December 31, 2018

Indicate whether the return is an "original" filing or an "amended" return, whether there is a surviving spouse and if so, whether a Maryland QTIP is being claimed on Schedule D of the MET-1. Also indicate whether alternate valuation and/or the Maryland Qualified Agricultural Exclusion are being elected, if a refund is being claimed, and if an alternate payment plan is being requested. Finally, indicate if the federal return, Form 706, has been or will be filed with the Internal Revenue Service and whether that filing is being made (1) because the filing is required by law; (2) to elect to transfer the decedent's unused exclusion amount to the surviving spouse (portability); (3) for some other reason.

Section I Complete all of the information concerning the decedent.

Section II Enter the information concerning all person(s) responsible for filing the return.

Enter the information to indicate where correspondence should be sent. This is the individual the Comptroller will contact if additional information is required or if a deficiency/refund notice is necessary. The person(s) responsible for filing the return will be contacted in the event the contact person does not respond or if no contact person is listed. **All person(s) responsible for filing the return must sign and date the return.**

Section III This section will be completed by the Register of Wills after the return is received by the Comptroller.

Section IV Computation of Maryland estate tax for estates of decedents dying after December 31, 2018. Complete the federal estate tax return, Form 706, for the year of the decedent's death, regardless of whether Form 706 is required to be filed with the Internal Revenue Service.

Include the federal return, complete with all schedules, attachments and supporting documents when filing the Maryland estate tax return. The value of the property of the estate must be based upon fair market value/ appraisals from Certified Appraisers.

Line 2 Complete Schedule C and enter the value, as of the decedent's date of death (or alternate valuation date, if elected), of Maryland Qualified Terminable Interest Property (QTIP) for which an election was previously made on a Maryland estate tax return filed for the estate of the decedent's predeceased spouse. Do not include QTIP property that is already included in line 1.

Line 5 If an election for Maryland Qualified Terminable Interest Property (QTIP) is being made in the current return, complete Schedule D and enter the total amount of Maryland QTIP on line 5 of the Maryland estate tax return.

Note: Do not attempt to make a Maryland QTIP election on the pro forma Schedule M of federal Form 706; all Maryland QTIP elections must be made on Schedule D of the MET 1.

Lines 11-12 Apportionment of state death tax credit.

If the augmented gross estate on line 3 includes only Maryland property, skip to line 13. If the augmented gross estate on line 3 includes Maryland property and property located outside the state of Maryland, complete Maryland Schedule A first. Then enter on line 11, the percentage of the Maryland estate from line 27 on Schedule A. Multiply line 11 times line 10 and enter the result on line 12.

Line 13 If the augmented gross estate includes only Maryland property, enter the lesser of line 9 or line 10. If the augmented gross estate includes property in Maryland and outside the state, enter the lesser of line 9 or 12. The amount reported on line 13 is the gross Maryland estate tax liability. **This amount must be satisfied by the due date of the return shown on page 1 to avoid interest and penalty.**

Line 14b Enter the portion of any tax paid to another state or territory on property included in the Maryland estate shown on line 26 of Schedule A. You must provide evidence of payment and attach your computation of this credit.

More information about the credit for death tax paid to another state: The Maryland estate tax is the amount, if any, by which the federal credit exceeds the total of death taxes other than the Maryland estate tax that: (i) are imposed by a state on property included in the Maryland estate; (ii) are allowable in computing the federal credit; and (iii) have actually been paid out of the Maryland estate and received by the appropriate unit of this State.

Estates that transfer line 9, 10 or 12 to line 13 generally will not need to claim a credit for death taxes paid to another state, because all property within the augmented gross estate has a Maryland tax situs, and is not subject to death taxes in another state.

There are limited circumstances under which the line 14b credit can be claimed. For example, a Maryland decedent has an ownership interest in an LLC. The LLC owns real property in State B. The value of the LLC interest will be simultaneously considered Maryland intangible property and in state B to be real property. In this example, the same property would be subject to death taxes in Maryland and in another state, and the estate would be able to claim a credit for death taxes paid to state B.

Line 16a Enter the total of any payments remitted as estimated payments with a filing extension or payments remitted in advance of the filing of the return.

Line 16b Enter the total Maryland estate tax paid with previously filed returns.

Line 18 Interest is assessed on any portion of the Maryland estate tax liability (line 13) that is not satisfied by the statutory due date on page 1 of the return. See Administrative Release #14 for the current interest rates. Interest is calculated from the due date to the date of payment.

Line 19 Late payment penalty of up to 10 percent is assessable on any portion of the Maryland estate tax (line 15) that is not satisfied by the statutory due date on page 1 of the return. A 25 percent non-compliance penalty is assessed for failure to comply with a notice and demand for the filing of the return within the time prescribed. A penalty of 25 percent of the amount of the underpayment of tax is assessed where the underpayment is attributable to any substantial estate tax valuation understatement and where the underpayment is greater than $5,000.

Line 20-22 Add lines 17, 18 and 19 and enter the total on line 20. If the total is a balance due, enter on line 22 and remit to the Comptroller with the remittance advice form. If the total is an overpayment, enter on line 21 the amount refundable. This may not exceed the total amount previously paid to the Comptroller.

Form MET 1
Schedule A
Rev. 07/26

26M1A0049

Decedent information:

First name	Middle name	Last name	Social Security number

SCHEDULE A

Use this worksheet to report the portion of the estate not subject to Maryland estate tax
If the decedent died after December 31, 2018

Attach Schedule A to Form MET1, using additional pages if necessary.

For a Maryland decedent – Itemize the Real and Tangible Personal Property included in the augmented gross estate (line 3 of the Maryland Estate Tax Return), having situs outside of Maryland.

For a nonresident decedent – Itemize the Real and Tangible Personal Property included in the augmented gross estate (line 3 of the Maryland Estate Tax Return), having situs in Maryland.

Item Number	Property description and location	Value used in augmented gross estate

23. Total. . . . . ▶ 23. $_____.___

Computation of percentage of Maryland estate to augmented gross estate

24. Augmented gross estate (from line 3) . . . . . 24. $_____.___

25. Portion of estate not subject to Maryland estate tax:

a. Maryland decedent (from line 23) . . . . . 25a. $_____.___

OR

b. Nonresident decedent (line 24 minus line 23) . . . . . 25b. $_____.___

26. Maryland estate (subtract line 25a or 25b from line 24) . . . . . 26. $_____.___

27. Percentage of Maryland estate to augmented gross estate (line 26 divided by line 24) rounded to two decimal places . . . . . 27. ____.____ %
Enter on line 11 of return.

Form MET 1
Schedule B
Rev. 07/26

26M1B0049

Decedent information:

First name	Middle name	Last name	Social Security number

SCHEDULE B

Use this schedule and worksheet to complete line 10, of the Maryland estate tax return if the decedent died after December 31, 2018

1. Maryland estate tax base (from line 7 Section IV of the Maryland Estate Tax Return) . . . . . 1. $ _____ .___
2. Less $60,000 adjustment . . . . . 2. $ (60,000.00)
3. Adjusted taxable estate (subtract line 2 from line 1) . . . . . 3. $ _____ .___

Complete lines 4-13 using table A from the Federal Form 706 Instructions and table B below to determine the allowable maximum credit for state death taxes for purpose of the Maryland estate tax.

Table B - Computation of Maximum Credit for State Death Taxes

(1) Adjusted taxable estate equal to or more than –	(2) Adjusted taxable estate less than –	(3) Credit on amount in column (1)	(4) Rate of credit on excess over amount in column (1)	(1) Adjusted taxable estate equal to or more than	(2) Adjusted taxable estate less than	(3) Credit on amount in column (1)	(4) Rate of credit on excess over amount in column (1)
			(Percent)				(Percent)
0	$40,000	0	None	2,040,000	2,540,000	106,800	8.0
$40,000	90,000	0	0.8	2,540,000	3,040,000	146,800	8.8
90,000	140,000	$400	1.6	3,040,000	3,540,000	190,800	9.6
140,000	240,000	1,200	2.4	3,540,000	4,040,000	238,800	10.4
240,000	440,000	3,600	3.2	4,040,000	5,040,000	290,800	11.2
440,000	640,000	10,000	4.0	5,040,000	6,040,000	402,800	12.0
640,000	840,000	18,000	4.8	6,040,000	7,040,000	522,800	12.8
840,000	1,040,000	27,600	5.6	7,040,000	8,040,000	650,800	13.6
1,040,000	1,540,000	38,800	6.4	8,040,000	9,040,000	786,800	14.4
1,540,000	2,040,000	70,800	7.2	9,040,000	10,040,000	930,800	15.2
				10,040,000	- - - - - - -	1,082,800	16.0

4. Enter line 7, Section IV from the Maryland estate tax return . . . . . 4. $ _____ .___
5. Enter line 4 from the federal Form 706, adjusted taxable gifts . . . . . ▶ 5. $ _____ .___
6. Add lines 4 and 5 . . . . . 6. $ _____ .___
7. Tentative federal tax on the amount on line 6 using Table A from the Federal Form 706 instructions . . ▶ 7. $ _____ .___
8. Total gift tax payable, from line 7 of the federal Form 706 . . . . . ▶ 8. $ _____ .___
9. Gross federal estate tax – subtract line 8 from line 7 . . . . . 9. $ _____ .___
10. Complete lines 10a and 10b. Add lines 10a and 10b and enter here. . . . . 10. $ _____ .___

    a. Allowable unified credit of $1,945,800 reduced by any adjustments reported on line 10 of the federal Form 706. Do not use Unified Credit from federal Form 706 . . . . ▶ 10a. $ _____ .___

    b. Enter amount from Schedule F, Part II, Line 4. If not applicable, enter $0 . . . 10b. $ _____ .___

11. Subtract line 10 from line 9 (do not enter less than zero) . . . . . 11. $ _____ .___
    If line 11 is zero, STOP here and enter zero on line 10 of the Maryland estate tax return.
    Otherwise, continue to line 12 of Schedule B.
12. Maximum credit for state death taxes. Calculate the credit using Table B above and the **Adjusted Taxable Estate** on line 3 of Schedule B and enter here . . . . . 12. $ _____ .___
13. Enter the lesser of line 11 or 12. This is the allowable maximum credit for state death taxes.
    Enter on line 10 of the Maryland Estate Tax Return . . . . . 13. $ _____ .___

Form MET 1
Schedule C
Rev. 07/26

26M1C0049

Decedent information:

First name	Middle name	Last name	Social Security number

SCHEDULE C

Use this schedule and worksheet to complete line 2 of the Maryland Estate Tax Return and to report any Maryland State QTIP Trust Property for which an election was made on the decedent's predeceased spouse's Maryland estate tax return, if applicable.

The Maryland State QTIP Trust referred to on this Schedule C is the trust (or other property) for which a Maryland State QTIP election was made on a prior Maryland estate tax return filed by the estate of the decedent's predeceased spouse. If the assets of the Maryland State QTIP Trust are not included on the decedent's federal estate tax return (Form 706) because these assets were not subject to a federal QTIP election and thus are not includible in the decedent's federal gross estate, then the fair market value of such assets must be reported and included on this Schedule C. For each item of qualified terminable interest property entered below, attach a copy of the trust document (if applicable) and an appraisal of the fair market value of such property.

Identify below each trust to which this irrevocable election applies:

Name of Trust (or other property)

Tax Identification Number of Trust

Name of Decedent's former Spouse

Date of Death of Decedent's former Spouse SSN

Name and Address of Trustee(s) of Trust

If this election applies to an additional trust or trusts, attach a continuation schedule or additional sheets identifying each additional trust or property to which this election applies.

Item Letter	Description of Maryland Qualified Terminable Interest Property	Amount (Fair Market Value)

1. TOTAL (include on Line 2, Section IV of Maryland estate tax return) . . . . . 1. $ _____.___

Form MET 1
Schedule D
Rev. 07/26

26M1D0049

Decedent information:

First name	Middle name	Last name	Social Security number

SCHEDULE D

Use this schedule and worksheet to make certain elections and to complete line 5 of the Maryland estate tax return if the decedent died after December 31, 2018.

All Maryland Qualified Terminable Interest Property elections must be made on this Schedule D. Do not attempt to make a Maryland QTIP election on the pro forma Form 706.

Election To Deduct Qualified Terminable Interest Property For Maryland Estate Tax Purposes.
If a trust (or other property) meets the requirements of qualified terminable interest property under Internal Revenue Code §2056(b)(7), (other than the requirement that the election with respect to such property shall be made on a federal Form 706) and

a. The trust or other property is listed on this Schedule D, and

b. The value of the trust (or other property) is entered in whole or in part as a deduction on this Schedule D then unless the personal representative specifically identifies the trust (all or a fractional portion or percentage) or other property to be excluded from the election, the personal representative irrevocably elects to have such trust (or other property) treated as qualified terminable interest property under Tax-General §7-309(b)(5) of the Maryland Code. If less than the entire value of the trust (or other property) that the executor has included in the gross estate is entered as a deduction in this Schedule D, the personal representative shall be considered to have made an election only as to a fraction of the trust (or other property). The numerator of this fraction is equal to the amount of the trust (or other property) deducted in this Schedule D. The denominator is equal to the total value of the trust (or other property).

c. Under Tax-General §7-309 of the Maryland Code, an election to treat property as marital deduction qualified terminable interest property on a timely filed Maryland Estate Tax Return shall be recognized for purposes of calculating the Maryland estate tax even if an inconsistent election is made for the same decedent for Federal estate tax purposes.

d. For each item of qualified terminable interest property entered below, attach a copy of the trust document (if applicable) and an appraisal of the value of such property.

Was Decedent's Spouse a U.S. citizen as of the due date of the estate tax return? **Yes** ___ **No**

Identify below each trust to which this irrevocable election applies:

Name of Trust (or other property)

Tax Identification Number of Trust

Name of Decedent's Spouse SSN

Name and Address of Trustee(s) of Trust

If this election applies to an additional trust or trusts, attach a continuation schedule or additional sheets identifying each additional trust or property to which this election applies.

Item Letter	Description of Maryland Qualified Terminable Interest Property	Amount (Fair Market Value)

1. TOTAL AMOUNT of Qualified Terminable Interest Property listed above that is **not** listed on Schedule M of the federal Form 706. (Enter on Line 5, Section IV of the Maryland Estate Tax Return) . . . . 1. $_____.___

Form MET 1
Schedule F
Rev. 07/26

26M1F0049

Decedent information:

First name	Middle name	Last name	Social Security number

SCHEDULE F

Use this schedule to elect portability of the Deceased Spousal Unused Exclusion (DSUE) if the decedent died on or after January 1, 2019.

PART I - To be completed by the estate of a decedent making a portability election. This is the amount claimed to be passed to the surviving spouse.

1. Exclusion amount for decedent passing after December 31, 2018. . . . . **1. $** 5,000,000.00

2. Enter the amount from Section IV, Line 7 of the MET-1 here. . . . . **2. $** _____ . ___

3. Deceased Spousal Unused Exclusion Amount: Subtract Line 2 from Line 1.
This is the DSUE amount portable to the surviving spouse. To elect portability of the deceased spouse unused exclusion amount, check here. . . . . ▶ ☐ **3. $** _____ . ___

PART II – To be completed by the deceased surviving spouse claiming an unused exclusion amount on this MET-1.

Enter the name of the predeceased spouse: _____
First Name Middle name Last name

Enter Social security number of the predeceased spouse: _____

1. Maryland exclusion amount at time of death for the predeceased spouse. . . . . ▶ **1. $** _____ . ___

2. Enter the tentative taxable estate amount for predeceased spouse.
(MET-1 Section IV, Line 7 or Federal Form 706, Line 3a). . . . . ▶ **2. $** _____ . ___

3. Subtract Line 2 from Line 1. Enter this amount on line Section IV, Line 8b. . . . . **3. $** _____ . ___

4. Multiply Line 3 by 40% . . . . . **4. $** _____ . ___

For estates of decedents dying after December 31, 2018

When the Form MET 1 must be filed: A Maryland estate tax return (Form MET 1) must be filed where the federal gross estate plus adjusted taxable gifts plus, property for which a Maryland QTIP election was previously made on a Form MET 1 filed for the estate of the decedent's predeceased spouse equals or exceeds $5,000,000, and the decedent at the date of death was:

1. A resident of the State of Maryland or
2. A nonresident of the State of Maryland whose estate includes any interest in real property permanently located in this State; or tangible personal property that has a taxable situs in this State.

The Maryland estate tax return must be filed within nine months after the date of death of the decedent, even if the federal estate tax return (IRS Form 706) is not required to be filed with the Internal Revenue Service.

Who must file Form MET 1: The duly appointed personal representative shall file the return. If there is more than one personal representative, the return must be made jointly by all. If there is no personal representative appointed, every person in actual or constructive possession of any property of the decedent is required to make and file a return.

Where to file return: The Maryland estate tax return is filed directly with the Comptroller. Mail the estate tax return and payment to:

Comptroller of Maryland
Revenue Administration Division - Estate Tax Unit
P.O. Box 828
Annapolis, MD 21404-0828

What to include with the return: When filing the Maryland estate tax return, include Maryland Schedule A if applicable, Maryland Schedule B, Maryland Schedule C if applicable, and Maryland Schedule D if applicable. In addition to the Maryland schedules, you must complete and submit the following documentation:

☑ Fully complete federal estate tax return, Form 706, with special attention to the following:

Part 1

- ☑ Attach a copy of the **Letters of Administration**.
- ☑ If decedent died testate, check box on line 8 and attach a copy of the **Last Will & Testament** and any codicils thereto.

Part 2

- Report adjusted taxable gifts on line 4.
- ☑ Attach **Form 709, Gift Tax Return**, covering gifts made within 1 year of the decedent's death.

Part 4

- Fully complete and attach any necessary supplemental documents or schedules per Part 4.
- ☑ Attach the **death certificate**.
- ☑ Attach **trust documents** where decedent was a grantor or possessed a power, beneficial interest, or trusteeship. Include any amendments or restatements.
- ☑ Attach **power of appointment instruments**.

Part 5

- Make an entry on every line of the Recapitulation, even if it is zero.

Schedule F

- Completed Schedule F must be filed with all returns.

Schedule M

- Fully complete Schedule M, including items 1-3 and all subsections, if there is a surviving spouse. Schedule M should be completed even if marital deduction property was reported according to the special rule of Reg. Section 20.2010(a)(7)(ii).

NOTE: If you are not required to file a federal estate tax return with the IRS but are required to file a Maryland estate tax return, attach a copy of the pro forma federal Form 706 prepared, with scheduled and supporting documentation, as though a federal return was required.

- ☑ Copies of all **disclaimers**
- ☑ Date of death **account statements** (bank, investment, retirement, etc.)
- ☑ All **appraisals** used to value property included on Form 706 including, but not limited to, real property and collections of personal property valued at over $3,000.
- ☑ **Form 712, Life Insurance Statement**, for any policies of life insurance reported on Form 706, even if its value is not included in the estate.
- ☑ Proof of the extent, origin, and nature of the decedent's interest and the interest(s) of the decedent's co-tenant(s) for all property reported on Schedule E, Part 2 at less than its full value.
- ☑ Detailed breakdown of miscellaneous expenses
- ☑ Date of death **mortgage statements**
- ☑ **Promissory Notes**
- ☑ Copies of any documents directing a charitable transfer reported on Schedule O.

This list is not meant to be exhaustive, but highlights specific lines and supporting documents that are often overlooked. Failure to provide these documents with the return will delay processing.

Tips for faster processing of Maryland Estate Tax returns with no tax liability:

As a result of the marital deduction/Maryland QTIP, please flag the following pages of the filing:

- Form MET-1, page 2;
- Form MET-1, Schedule D, if a QTIP election is being made;
- Form 706, page 2; and
- Form 706, Schedule M. Please also ensure that items 1-3 and all subsections are complete.

As the result of charitable deductions, please flag the following pages of the filing:

- Form 706, page 3;
- Form 706, Schedule O; and
- The relevant page of the will, trust, or other documentation designating the charitable beneficiary or otherwise authorizing the charitable donation.

Alternate Valuation: With regard to an election to value property as provided in §2032 of the Internal Revenue Code, if a federal estate tax return is not required to be filed with the Internal Revenue Service, an irrevocable election made on a timely filed Maryland estate tax return shall be deemed to be an election as required by §2032(d) of the Internal Revenue Code. In such cases, the provisions of §2032(c) of the Internal Revenue Code do not apply. An election may not be made unless that election will decrease the value of the gross estate, and the Maryland estate tax due with regard to the transfer of a decedent's Maryland estate. Report an election for alternate valuation of property by entering a check mark in the appropriate box on the front page of the Maryland estate tax return, and by reporting the same on the pro forma Form 706 filed with the MET 1. You must attach all of the required statements and appraisals. In cases in which a federal estate tax return is filed with the Internal Revenue Service, an election for alternate valuation of property for Maryland estate tax purposes must be the same as the election made for federal estate tax purposes.

Maryland Qualified Agricultural Property (QAP) Exclusion: To elect to exclude up to $5,000,000 of the value of qualified agricultural property from the value of the gross estate and benefit from a tax rate not to exceed 5% of the value of such property exceeding $5,000,000, certain forms must be filed with the Comptroller as attachments to the Maryland Estate Tax Return. To request these forms, please call the Estate Tax Unit at (410) 260-7850.

Portability of the Maryland Deceased Spousal Unused Exclusion (DSUE): Portability provides that any unused basic exclusion amount that remains at the death of the last deceased spouse (called the "deceased spousal unused exclusion amount") may be used by the surviving spouse, in addition to the surviving spouse's own exclusion. The last deceased spouse is the most recently deceased person who was married to the surviving spouse at the time of the surviving spouse's death.

All portability elections must be made in accordance with MD Code, Tax - General, § 7-309.

Portability can only be elected on a timely filed estate tax return of the predeceased spouse whose exclusion is intended to be used, regardless of whether the estate of the predeceased spouse is otherwise required to file a tax return. If a person files a Maryland estate tax return **solely** for the purpose of making a portability election, the personal representative shall file the Maryland estate tax return within **5 years** after the date of death of the decedent.

The DSUE amount can only be claimed by surviving spouses who die on or after January 1, 2019. The DSUE amount cannot exceed $5,000,000 or the amount of the unused basic exclusion amount, whichever is less.

How to Elect Portability:

Nonresident Predeceased Spouses or Predeceased Spouses Dying Prior to 1/1/2019
To elect portability of the decedent's unused exclusion amount for the benefit of the surviving spouse, the estate's personal representative must timely file Federal Form 706 and make the relevant portability election. (No MET-1 is required to be filed if the estate is under the Maryland filing threshold.)

Predeceased Spouses with Maryland Property Dying on or After 1/1/2019
To elect portability of the predeceased spouse's exclusion amount for 2019 decedents and later, the personal representative of the predeceased spouse must file a timely MET-1 and complete Schedule F, Part I, even if the predeceased spouse's estate is not taxable. Please note, the MET-1 requirement only applies if the deceased spouse either (a) was a Maryland resident, or (b) property with a Maryland estate tax situs was included in the gross estate. As provided in MD Code, Tax - General, § 7-309(b)(9)(ii)2, nonresident predeceased spouses whose gross estates do not include Maryland property are subject to the same rules as a pre-2019 deceased spouse. If a person files a Maryland estate tax return solely for the purpose of making the election for portability, the person shall file the Maryland estate tax return within the time period prescribed for making an election on a federal estate tax return to allow a surviving spouse to take into account the deceased spousal unused exclusion amount.

How to Claim DSUE on Surviving Spouse's MET-1:

Nonresident Predeceased Spouses or Predeceased Spouses Dying Prior to 1/1/2019
Complete Schedule F, Part II and Section IV, Line 8b. You must also attach a copy of the predeceased spouse's Federal Form 706. The Federal Form 706 must include a valid portability election.

Predeceased Spouses with Maryland Property Dying on or After 1/1/2019
You must file the MET-1 and complete Schedule F, Part II and Section IV, Line 8b.

Extension of time to file: The Comptroller may extend the time to file an estate tax return up to 6 months, or if the person required to file the estate tax return is out of the United States, up to 1 year. An application form, MET 1E must be filed with the Comptroller on or before the statutory due date and should include: a copy of the federal extension request, Form 4768, if applicable; remittance of the estimated Maryland estate tax; or a request for an alternative payment schedule. See Administrative Releases #4 and #30 for additional instructions.

When and Where to pay the tax: The Maryland estate tax is payable to the Comptroller of Maryland nine months from the date of death. The check should be mailed directly to the Comptroller of Maryland, Revenue Administration Division, P.O. Box 828, Annapolis, Maryland 21404-0828 with the remittance form MET 3 that is included in the return package. The Comptroller may allow an alternative payment schedule for the Maryland estate tax in the form of a payment deferral or installment payment plan. See Administrative Release #30 for specific procedures.

Interest, Penalties and Liens: Interest will accrue at the statutory rate on unpaid Maryland estate tax from the due date of the return to the date of actual payment. See Administrative Release #14 for current rates. Penalties are provided by statute for:

1. failure to pay the tax when due - up to 10 percent; and
2. failure to comply with Notice and Demand - 25 percent; and
3. substantial estate tax valuation understatement - a 25 percent penalty applies to any underpayment of Maryland estate tax if the underpayment exceeds $5,000 and is attributable to a "substantial estate tax valuation understatement," which is defined as a valuation at 60 percent or less of the amount determined to be the correct value.

Unpaid tax, interest and penalties, become subject to lien in favor of the state upon all property and rights to the property belonging to the estate.

Reporting of Adjustments: After a Maryland estate tax return has been filed, an amended Maryland estate tax return (Form MET 1) shall be filed if the Maryland estate tax liability is increased because of:

1. a change in the federal gross estate, federal taxable estate, federal estate tax, or other change as determined under the Internal Revenue Code;
2. after-discovered property;
3. a correction to the value of previously reported property;
4. a correction to the amount of previously claimed deductions; or
5. any other correction to a previously filed return.

The amended return shall be filed within 90 days **after the later to occur of the date of the event** that caused the increase in the Maryland estate tax liability or the date on which the person required to file an amended Maryland estate tax return learned or reasonably should have learned of the increase in the Maryland estate tax liability. Any additional tax, interest and penalties determined to be due shall be paid to the Comptroller of Maryland at the same time the amended return is filed.

Refund of Excess Payment: If an adjustment results in a decrease in the Maryland estate tax, the person responsible for filing the Maryland estate tax return shall file an amended return (Form MET 1) to claim a refund of previously paid Maryland estate tax. Claims shall be supported with documents required by the Comptroller. Refunds found to be due shall be paid by the Comptroller as provided for in Section 13-901, Tax-General Article, Annotated Code of Maryland.

For forms, instructions and Administrative Releases #4, #14 or #30, contact:

Comptroller of Maryland
Revenue Administration Division - Estate Tax Unit
P.O. Box 828
Annapolis, MD 21404-0828
Phone: (410) 260-7850

E-mail: estatetaxhelp@marylandtaxes.gov
Web site: **www.marylandcomptroller.gov**

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FORM MET 3 COMPTROLLER of MARYLAND SERVING THE PEOPLE MARYLAND ESTATE TAX REMITTANCE FORM

Rev. 4/26
COM/RAD-101D

Mail this form and the tax due to: Comptroller of Maryland, P.O. Box 828, Annapolis, MD 21404-0828

Decedent's name First Name / Middle name / Last name	Social Security number
Maryland county or counties in which taxable property is located:	Date of death
Name and address of contact person	Amount remitted **$**

The tax due must be remitted with this form.

Cut along the DOTTED line