

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 266 Session of 2009

INTRODUCED BY COSTA, HUGHES, KITCHEN, STOUT, FONTANA,  
TARTAGLIONE, RAFFERTY, O'PAKE, LOGAN, TOMLINSON, BOSCOLA,  
GREENLEAF, BROWNE, EARLL AND FERLO, FEBRUARY 19, 2009

REFERRED TO JUDICIARY, FEBRUARY 19, 2009

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 payments to family and funeral directors.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 3101(b) and (c) of Title 20 of the  
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 3101. Payments to family and funeral directors.

9 \* \* \*

10 (b) Deposit account.--Any bank, savings association, savings  
11 and loan association, building and loan association, credit  
12 union or other savings organization, at any time after the death  
13 of a depositor, member or certificate holder, may pay the amount  
14 on deposit or represented by the certificate, when the total  
15 standing to the credit of the decedent in that institution does  
16 not exceed [\$3,500] \$10,000, to the spouse, any child, the  
17 father or mother or any sister or brother (preference being  
18 given in the order named) of the deceased depositor, member or

1 certificate holder, provided that a receipted funeral bill or an  
2 affidavit, executed by a licensed funeral director which sets  
3 forth that satisfactory arrangements for payment of funeral  
4 services have been made, is presented. Any bank, association,  
5 union or other savings organization making such a payment shall  
6 be released to the same extent as if payment had been made to a  
7 duly appointed personal representative of the decedent and it  
8 shall not be required to see to the application thereof. Any  
9 person to whom payment is made shall be answerable therefor to  
10 anyone prejudiced by an improper distribution.

11 (c) Patient's care account.--When the decedent was a  
12 qualified recipient of medical assistance from the Department of  
13 Public Welfare, the facility in which he was a patient may make  
14 payment of funds, if any, remaining in the patient's care  
15 account, for the decedent's burial expenses to a licensed  
16 funeral director in an amount not exceeding [\$3,500] \$10,000  
17 whether or not a personal representative has been appointed.  
18 After the payment of decedent's burial expenses, the facility  
19 may pay the balance of decedent's patient's care account, as  
20 long as the payments including the payment for burial expenses  
21 does not exceed [\$4,000] \$10,000, to the spouse, any child, the  
22 father or mother or any sister or brother (preference being  
23 given in the order named) of the deceased patient. Any facility  
24 making such a payment shall be released to the same extent as if  
25 payment had been made to a duly appointed personal  
26 representative of the decedent and it shall not be required to  
27 see to the application thereof. Any licensed funeral director or  
28 other person to whom payment is made shall be answerable  
29 therefor to anyone prejudiced by an improper distribution.

30 \* \* \*

1       Section 2.   This act shall take effect in 60 days.