

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 896 Session of  
1989

INTRODUCED BY MAYERNIK, KOSINSKI, BILLOW, JOHNSON, MORRIS, DORR,  
STABACK, TRELLO, McCALL, RYBAK, FARGO, GEIST, REBER, BURD,  
CAWLEY, PISTELLA, E. Z. TAYLOR, HALUSKA, LASHINGER, MICOZZIE,  
OLASZ, McVERRY, NOYE, GIGLIOTTI, J. TAYLOR AND R. C. WRIGHT,  
APRIL 3, 1989

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 3, 1989

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 when a family exemption is allowable.

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

6 Section 1. Section 3121 of Title 20 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 3121. When allowable.

9 The spouse of any decedent dying domiciled in the  
10 Commonwealth, and if there be no spouse, or if he has forfeited  
11 his rights, then such children as are members of the same  
12 household as the decedent, and, in the event there are no such  
13 children, then the parent or parents of the decedent who are  
14 members of the same household as the decedent, and, in the event  
15 there is no such parent or parents, then the grandchild or  
16 grandchildren of the decedent who are members of the same  
17 household as the decedent, may retain or claim as an exemption

1 either real or personal property, or both, not theretofore sold  
2 by the personal representative, to the value of \$2,000:

3 Provided, That property specifically devised or bequeathed by  
4 the decedent, or otherwise specifically disposed of by him, may  
5 not be so retained or claimed if other assets are available for  
6 the exemption. The surviving husband or wife shall be a  
7 competent witness as to all matters pertinent to the issue of  
8 forfeiture of the right to exemption.

9 Section 2. This act shall take effect immediately.