

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2636 Session of
1994

INTRODUCED BY YANDRISEVITS, MARKOSEK, ROONEY, LAUB, PESCI,
KELLER, MIHALICH, NYCE, CARONE, BATTISTO, KAISER, GODSHALL,
PETRARCA, DeLUCA, MUNDY, BELFANTI, MELIO, PISTELLA, WILLIAMS,
TANGRETTI, B. SMITH, L. I. COHEN, VEON, KENNEY, J. TAYLOR,
STEELMAN AND WASHINGTON, MARCH 23, 1994

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 23, 1994

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the
2 Pennsylvania Consolidated Statutes, further providing for
3 shares of other than surviving spouse.

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

6 Section 1. Section 2103 of Title 20 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 2103. Shares of others than surviving spouse.

9 The share of the estate, if any, to which the surviving
10 spouse is not entitled, and the entire estate if there is no
11 surviving spouse, shall pass in the following order:

12 (1) Issue.--To the issue of the decedent.

13 (2) Parents.--[If no issue survives the decedent, then
14 to the parents or parent of the decedent.] If no issue
15 survives the decedent, then to the parent or parents of the
16 decedent, except that any parent who has failed to pay court-
17 ordered child support or who has abandoned the decedent

1 during the life of the decedent shall be prohibited from
2 taking an intestate share from the estate of the deceased
3 child.

4 (3) Brothers, sisters, or their issue.--If no parent
5 survives the decedent, then to the issue of each of the
6 decedent's parents.

7 (4) Grandparents.--If no issue of either of the
8 decedent's parents but at least one grandparent survives the
9 decedent, then half to the paternal grandparents or
10 grandparent, or if both are dead, to the children of each of
11 them and the children of the deceased children of each of
12 them, and half to the maternal grandparents or grandparent,
13 or if both are dead to the children of each of them and the
14 children of the deceased children of each of them. If both of
15 the paternal grandparents or both of the maternal
16 grandparents are dead leaving no child or grandchild to
17 survive the decedent, the half which would have passed to
18 them or to their children and grandchildren shall be added to
19 the half passing to the grandparents or grandparent or to
20 their children and grandchildren on the other side.

21 (5) Uncles, aunts and their children, and
22 grandchildren.--If no grandparent survives the decedent, then
23 to the uncles and aunts and the children and grandchildren of
24 deceased uncles and aunts of the decedent as provided in
25 section 2104(1) (relating to taking in different degrees).

26 (6) Commonwealth.--In default of all persons
27 hereinbefore described, then to the Commonwealth of
28 Pennsylvania.

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