

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 486 Session of 2009

INTRODUCED BY ARGALL, THOMAS, BAKER, BEAR, BEYER, BOYD,  
CREIGHTON, GEIST, GOODMAN, GROVE, KILLION, KORTZ, KOTIK,  
LONGIETTI, MILLARD, MILLER, O'NEILL, READSHAW, ROHRER,  
SCAVELLO, SWANGER, VULAKOVICH, WANSACZ AND YUDICHAK,  
FEBRUARY 18, 2009

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 18, 2009

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the  
2 Pennsylvania Consolidated Statutes, further providing for  
3 settlement of small estates on petition.

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

6 Section 1. Section 3102 of Title 20 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 3102. Settlement of small estates on petition.

9 When any person dies domiciled in the Commonwealth owning  
10 property (exclusive of real estate and of property payable under  
11 section 3101 (relating to payments to family and funeral  
12 directors), but including personal property claimed as the  
13 family exemption) of a gross value not exceeding \$25,000,  
14 provided that the gross value shall not include any payments  
15 received by a person or persons under the Economic Stimulus Act  
16 of 2008 (Public Law 110-185, 122 Stat. 613) or any subsequent  
17 and substantially similar law enacted to provide economic

1 stimulus payment to a person or persons, the orphans' court  
2 division of the county wherein the decedent was domiciled at the  
3 time of his death, upon petition of any party in interest, in  
4 its discretion, with or without appraisement, and with such  
5 notice as the court shall direct, and whether or not letters  
6 have been issued or a will probated, may direct distribution of  
7 the property (including property not paid under section 3101) to  
8 the parties entitled thereto. The authority of the court to  
9 award distribution of personal property under this section shall  
10 not be restricted because of the decedent's ownership of real  
11 estate, regardless of its value. The decree of distribution so  
12 made shall constitute sufficient authority to all transfer  
13 agents, registrars and others dealing with the property of the  
14 estate to recognize the persons named therein as entitled to  
15 receive the property to be distributed without administration,  
16 and shall in all respects have the same effect as a decree of  
17 distribution after an accounting by a personal representative.  
18 Within one year after such a decree of distribution has been  
19 made, any party in interest may file a petition to revoke it  
20 because an improper distribution has been ordered. If the court  
21 shall find that an improper distribution has been ordered, it  
22 shall revoke the decree and shall direct restitution as equity  
23 and justice shall require.

24       Section 2. This act shall take effect immediately.