

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1031 Session of
2007

INTRODUCED BY BASTIAN, BENNINGHOFF, CAPPELLI, CREIGHTON, DALLY,
FABRIZIO, FLECK, HARRIS, HENNESSEY, HERSHEY, KOTIK, MILLARD,
MYERS, READSHAW, ROHRER, RUBLEY, SAYLOR, SCAVELLO, STERN,
TANGRETTI AND YOUNGBLOOD, APRIL 5, 2007

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 5, 2007

AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the
2 Pennsylvania Consolidated Statutes, further providing, in
3 dispositions independent of letters, for payments to family
4 and funeral directors; and making an editorial change.

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

7 Section 1. Section 3101 heading and (b) of Title 20 of the
8 Pennsylvania Consolidated Statutes are amended and the section
9 is amended by adding a subsection to read:

10 § 3101. Payments to family and funeral directors and motor
11 vehicle transfers.

12 * * *

13 (b) Deposit account.--Any bank, savings association, savings
14 and loan association, building and loan association, credit
15 union or other savings organization, at any time after the death
16 of a depositor, member or certificate holder, may pay the amount
17 on deposit or represented by the certificate, when the total
18 standing to the credit of the decedent in that institution does

1 not exceed [\$3,500] \$10,000, to the spouse, any child, the
2 father or mother or any sister or brother (preference being
3 given in the order named) of the deceased depositor, member or
4 certificate holder, provided that a receipted funeral bill or an
5 affidavit, executed by a licensed funeral director which sets
6 forth that satisfactory arrangements for payment of funeral
7 services have been made, is presented. Any bank, association,
8 union or other savings organization making such a payment shall
9 be released to the same extent as if payment had been made to a
10 duly appointed personal representative of the decedent and it
11 shall not be required to see to the application thereof. Any
12 person to whom payment is made shall be answerable therefor to
13 anyone prejudiced by an improper distribution.

14 * * *

15 (f) Motor vehicle title.--The title of a motor vehicle owned
16 by a decedent and that has a fair market value of less than
17 \$15,000 shall be transferred by the Department of Transportation
18 at any time after the death of that owner to the spouse, any
19 child, the father or mother or any sister or brother (preference
20 being given in the order named) of the deceased, whether or not
21 a personal representative has been appointed. The Department of
22 Transportation shall, by regulation, establish a procedure to
23 transfer the title of motor vehicles subject to this subsection.

24 Section 2. Section 3102 of Title 20 is amended to read:

25 § 3102. Settlement of small estates on petition.

26 When any person dies domiciled in the Commonwealth owning
27 property (exclusive of real estate and of property payable under
28 section 3101 (relating to payments to family and funeral
29 directors and motor vehicle transfers), but including personal
30 property claimed as the family exemption) of a gross value not

1 exceeding \$25,000, the orphans' court division of the county
2 wherein the decedent was domiciled at the time of his death,
3 upon petition of any party in interest, in its discretion, with
4 or without appraisement, and with such notice as the court shall
5 direct, and whether or not letters have been issued or a will
6 probated, may direct distribution of the property (including
7 property not paid under section 3101) to the parties entitled
8 thereto. The authority of the court to award distribution of
9 personal property under this section shall not be restricted
10 because of the decedent's ownership of real estate, regardless
11 of its value. The decree of distribution so made shall
12 constitute sufficient authority to all transfer agents,
13 registrars and others dealing with the property of the estate to
14 recognize the persons named therein as entitled to receive the
15 property to be distributed without administration, and shall in
16 all respects have the same effect as a decree of distribution
17 after an accounting by a personal representative. Within one
18 year after such a decree of distribution has been made, any
19 party in interest may file a petition to revoke it because an
20 improper distribution has been ordered. If the court shall find
21 that an improper distribution has been ordered, it shall revoke
22 the decree and shall direct restitution as equity and justice
23 shall require.

24 Section 3. This act shall take effect in 60 days.