

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 513 Session of 2013

INTRODUCED BY STEVENSON, BAKER, HEFFLEY, M. K. KELLER, BROOKS, HENNESSEY, AUMENT, CUTLER, D. COSTA, GINGRICH, MARSHALL, MILLARD, LONGIETTI, BLOOM, MAJOR, TALLMAN, KORTZ, KAUFFMAN, FLECK, MACKENZIE, C. HARRIS, MOUL, OBERLANDER, PICKETT, MILLER, CLYMER, MARSICO, READSHAW, SWANGER, DELUCA, HESS, ROCK, GRELL, WATSON, GILLEN AND HARHART, FEBRUARY 5, 2013

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 5, 2013

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 and for estates not
 4 exceeding \$25,000.

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

7 Section 1. Sections 3102 and 3531 of Title 20 of the
 8 Pennsylvania Consolidated Statutes are amended to read:

9 § 3102. Settlement of small estates on petition.

10 When any person dies domiciled in the Commonwealth owning
 11 property (exclusive of real estate and of property payable under
 12 section 3101 (relating to payments to family and funeral
 13 directors), but including personal property claimed as the
 14 family exemption) of a gross value not exceeding [\$25,000]
 15 \$50,000, the orphans' court division of the county wherein the
 16 decedent was domiciled at the time of his death, upon petition
 17 of any party in interest, in its discretion, with or without

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

21 § 3531. Estates not exceeding [~~\$25,000~~] \$50,000.

22 When the gross real and personal estate of a decedent does
23 not exceed the value of [~~\$25,000~~] \$50,000, the personal
24 representative, after the expiration of one year from the date
25 of the first complete advertisement of the grant of letters, may
26 present his petition to the court with an annexed account
27 showing the administration of the estate, the distribution
28 theretofore made and suggesting the proper distribution of the
29 estate not theretofore distributed. Thereupon, the court, upon
30 satisfactory proof of notice to all known parties in interest,

1 may approve the distribution theretofore made and order
2 distribution of the assets not theretofore distributed and
3 discharge the personal representative and his sureties from
4 future liability without the expense of proceedings as in a
5 formal account. The court may discharge only the surety from
6 future liability, and may allow the personal representative to
7 continue without surety upon condition that no further assets
8 shall come into the possession of the personal representative
9 until he files another bond, with sufficient surety, as required
10 by the register.

11 Section 2. The amendment of 20 Pa.C.S. §§ 3102 and 3531
12 shall apply to estates of decedents dying on or after the
13 effective date of this section.

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