

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1662 Session of 2013

INTRODUCED BY HARHAI, MILLARD, JAMES, COHEN, KOTIK, GODSHALL, KINSEY, M. DALEY, CALTAGIRONE, R. MILLER, QUINN, DENLINGER, MAHONEY, MILNE AND KULA, AUGUST 29, 2013

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 22, 2013

AN ACT

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

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

7 Section 1. Section 3101(b) of Title 20 of the Pennsylvania
8 Consolidated Statutes, AMENDED JULY 2, 2013 (P.L.199, NO.35), is <--
9 amended to read:

10 § 3101. Payments to family and funeral directors.

11 \* \* \*

12 ~~(b) Deposit account. Any bank, savings association, savings <--
13 and loan association, building and loan association, credit
14 union or other savings organization, at any time after the death
15 of a depositor, member or certificate holder, may pay the amount
16 on deposit or represented by the certificate, when the total
17 standing to the credit of the decedent in that institution does
18 not exceed \$3,500, to the spouse, any child, the father or~~

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

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, SHALL PAY THE  
17 AMOUNT ON DEPOSIT OR REPRESENTED BY THE CERTIFICATE, WHEN THE  
18 TOTAL STANDING TO THE CREDIT OF THE DECEDENT IN THAT INSTITUTION  
19 DOES NOT EXCEED \$10,000, TO THE SPOUSE, ANY CHILD, THE FATHER OR  
20 MOTHER [OR], ANY SISTER OR BROTHER OR ANY GRANDCHILD (PREFERENCE  
21 BEING GIVEN IN THE ORDER NAMED) OF THE DECEASED DEPOSITOR,  
22 MEMBER OR CERTIFICATE HOLDER, PROVIDED THAT A RECEIPTED FUNERAL  
23 BILL OR AN AFFIDAVIT, EXECUTED BY A LICENSED FUNERAL DIRECTOR  
24 WHICH SETS FORTH THAT SATISFACTORY ARRANGEMENTS FOR PAYMENT OF  
25 FUNERAL SERVICES HAVE BEEN MADE, IS PRESENTED. ANY BANK,  
26 ASSOCIATION, CREDIT UNION OR OTHER SAVINGS ORGANIZATION MAKING  
27 SUCH A PAYMENT SHALL BE RELEASED TO THE SAME EXTENT AS IF  
28 PAYMENT HAD BEEN MADE TO A DULY APPOINTED PERSONAL  
29 REPRESENTATIVE OF THE DECEDENT AND IT SHALL NOT BE REQUIRED TO  
30 SEE TO THE APPLICATION THEREOF. ANY PERSON TO WHOM PAYMENT IS

1 MADE SHALL BE ANSWERABLE THEREFOR TO ANYONE PREJUDICED BY AN  
2 IMPROPER DISTRIBUTION.

3 \* \* \*

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