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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2858 Session of  
2020

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INTRODUCED BY McCLINTON, ROTHMAN, LEE, HILL-EVANS, JONES, ROZZI,  
McNEILL, KINSEY, DALEY, HOWARD, SANCHEZ, KENYATTA AND BURGOS,  
SEPTEMBER 14, 2020

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REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 14, 2020

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AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the  
2 Pennsylvania Consolidated Statutes, in intestate succession,  
3 further providing for forfeiture.

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

6 Section 1. Section 2106 of Title 20 of the Pennsylvania  
7 Consolidated Statutes is amended by adding subsections to read:

8 § 2106. Forfeiture.

9 \* \* \*

10 (b.1) Estranged parent's share of an adult child's estate.--

11 The following apply:

12 (1) A parent of a deceased adult child who is estranged  
13 shall have no right or interest under this chapter in the  
14 adult child's real or personal estate. In determining if a  
15 parent was estranged from an adult child, a court shall take  
16 into account the relationship between the adult child and the  
17 parent, including the nature and duration of the  
18 relationship, the conduct of the parent before and after the

1 adult child's death and the conduct of another parent in  
2 causing the estrangement.

3 (2) For the purposes of this subsection, the term  
4 "estranged" shall mean a physical and emotional separation  
5 between a parent and an adult child at the time of the adult  
6 child's death which existed for a year or more before the  
7 adult child's death that clearly demonstrates an absence of  
8 affection, trust and regard for the adult child.

9 \* \* \*

10 (e) Surviving parent as witness.--A surviving parent shall  
11 be a competent witness as to all matters pertinent to the issue  
12 of forfeiture under subsection (b.1).

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