

COMMITTEE BILL ANALYSIS

Bill: House Bill 513

Printer's No.: 556

Sponsor: Representative Stevenson

Prepared by: Gregg Warner

Synopsis: This bill amends the Probate, Estates and Fiduciaries Code, Title 20 of the Pennsylvania Consolidated Statutes, relating to small estates, to increase the limit for small estates from \$25,000 to \$50,000.

Summary: Sections 3102 and 3531 of the Probate, Estates and Fiduciaries Code govern the handling of small estates.

Section 3102

Currently when a person dies domiciled in Pennsylvania owning property with a gross value not exceeding \$25,000, the orphans' court, upon petition of any party in interest, in its discretion, with or without appraisal, and with such notice as the court shall direct, may direct distribution of the property to the parties. This legislation increases the amount constituting a small estate to \$50,000 so an estate not exceeding the value of \$50,000 may be settled by petition.

Section 3531

Currently when the gross real and personal estate of a decedent does not exceed the value of \$25,000, the personal representative, after the expiration of one year from the date of the first complete advertisement of the grant of letters, may present a petition to the court with an annexed account showing the administration and distribution of the estate, and suggesting the distribution of the estate not already distributed. This legislation increases the amount to \$50,000 so a personal representative of an estate not exceeding the value of \$50,000 may take advantage of these provisions.

Effective date

This act shall take effect in 60 days and apply to estates of decedents dying on or after the effective date.

Background: The House of Representatives passed House Bill 513 on April 9, 2013 by a vote of 201 to 0.

According to the sponsor, “Currently, the limit for small estates is \$25,000. The amount was last set by the General Assembly in 1994. The previous limit was \$10,000, a dollar amount set by the General Assembly in 1974. I believe that it is time once again to raise the limit.”

Legislative history

During the 2011-2012 legislative session, this legislation was introduced as House Bill 1324. The House passed House Bill 1324 by a 198 to 0 vote. The Senate Judiciary Committee reported Senate Bill 1324 from committee but the Senate re-referred the bill to the Senate Appropriations Committee where it remained for the rest of the session.