

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1534 Session of 2021

INTRODUCED BY M. MACKENZIE, HENNESSEY, PICKETT, RYAN, MILLARD, R. MACKENZIE, ROWE AND MOUL, JUNE 3, 2021

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 22, 2021

AN ACT

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

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

8 Section 1. Section 3101(e) of Title 20 of the Pennsylvania <--
9 Consolidated Statutes is amended by adding a paragraph to read:

10 SECTION 1. SECTION 3101(B) AND (E) (1) (II) OF TITLE 20 OF THE <--
11 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

12 § 3101. Payments to family and funeral directors.

13 * * *

14 (e) Unclaimed property. <--

15 * * *

16 (1.1) Notwithstanding the conditions set out in
17 paragraph (1)(i) and (ii), if the amount of the funds or the
18 value of the property is \$11,000 or less, a lineal
19 descendant, other than a child, of the decedent may present a

~~claim under this section upon a showing that there is no
other surviving relative in the order of preference set out
in paragraph (1)(ii).~~

* * *

(B) DEPOSIT ACCOUNT.--ANY BANK, SAVINGS ASSOCIATION, SAVINGS <--
AND LOAN ASSOCIATION, BUILDING AND LOAN ASSOCIATION, CREDIT
UNION OR OTHER SAVINGS ORGANIZATION, AT ANY TIME AFTER THE DEATH
OF A DEPOSITOR, MEMBER OR CERTIFICATE HOLDER, SHALL PAY THE
AMOUNT ON DEPOSIT OR REPRESENTED BY THE CERTIFICATE, WHEN THE
TOTAL STANDING TO THE CREDIT OF THE DECEDENT IN THAT INSTITUTION
DOES NOT EXCEED \$10,000, TO THE SPOUSE, ANY CHILD, THE FATHER OR
MOTHER [OR], ANY SISTER OR BROTHER OR ANY GRANDCHILD (PREFERENCE
BEING GIVEN IN THE ORDER NAMED) OF THE DECEASED DEPOSITOR,
MEMBER OR CERTIFICATE HOLDER, PROVIDED THAT A RECEIPTED FUNERAL
BILL OR AN AFFIDAVIT, EXECUTED BY A LICENSED FUNERAL DIRECTOR
WHICH SETS FORTH THAT SATISFACTORY ARRANGEMENTS FOR PAYMENT OF
FUNERAL SERVICES HAVE BEEN MADE, IS PRESENTED. ANY BANK,
ASSOCIATION, CREDIT UNION OR OTHER SAVINGS ORGANIZATION MAKING
SUCH A PAYMENT SHALL BE RELEASED TO THE SAME EXTENT AS IF
PAYMENT HAD BEEN MADE TO A DULY APPOINTED PERSONAL
REPRESENTATIVE OF THE DECEDENT AND IT SHALL NOT BE REQUIRED TO
SEE TO THE APPLICATION THEREOF. ANY PERSON TO WHOM PAYMENT IS
MADE SHALL BE ANSWERABLE THEREFOR TO ANYONE PREJUDICED BY AN
IMPROPER DISTRIBUTION.

* * *

(E) UNCLAIMED PROPERTY.--

(1) IN ANY CASE WHERE PROPERTY OR FUNDS OWNED BY AN
INDIVIDUAL WHO HAS DIED A RESIDENT OF THIS COMMONWEALTH HAVE
BEEN REPORTED TO THE COMMONWEALTH AND ARE IN THE CUSTODY OF
THE STATE TREASURER AS UNCLAIMED OR ABANDONED PROPERTY, THE

1 STATE TREASURER, AT ANY TIME AFTER THE DEATH OF THE
2 INDIVIDUAL, SHALL BE AUTHORIZED UNDER THIS SECTION TO
3 DISTRIBUTE THE PROPERTY OR TO PAY THE AMOUNT BEING HELD IN
4 CUSTODY WHERE ALL OF THE FOLLOWING CONDITIONS ARE PRESENT:

5 * * *

6 (II) THE PERSON CLAIMING THE PROPERTY OR THE FUNDS
7 IS THE SURVIVING SPOUSE, CHILD, MOTHER OR FATHER, [OR]
8 SISTER OR BROTHER OR GRANDCHILD OF THE DECEDENT, WITH
9 PREFERENCE GIVEN IN THAT ORDER.

10 * * *

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