

HOUSE BILL 1255

By Hawk

AN ACT to amend Tennessee Code Annotated, Section
18-6-106, relative to administration of estates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 18-6-106(b), is amended by adding the following as a new subdivision:

(18) After notice to the last known address of the personal representative of the estate, the attorney for the estate and any beneficiary of the estate, enter an order, without liability to the clerk or the county of administration, which shall dismiss without prejudice, certain probate cases in which:

(A) No order of disposition has been entered;

(B) The case has been open for a period of time where disposition could have occurred, but in no event less than eighteen (18) months from the order opening the estate; and

(C) Administration of the estate remains incomplete.

The dismissal shall only operate to close the administration and shall not invalidate an order of the court in the proceeding.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.