PROBATE NOTICE AMENDMENTS
2020 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Kelly B. Miles
Senate Sponsor:
LONG TITLE
General Description:
This bill modifies notice provisions in a probate proceeding.
Highlighted Provisions:
This bill:
• eliminates a requirement that a petitioner or a personal representative provide notice
of a probate proceeding to the Office of Recovery Services;
<ul> <li>requires the probate court to provide notice of a probate proceeding to the Office of</li> </ul>
Recovery Services under certain circumstances; and
removes a provision that suspends a time limitation on the state's enforcement of a
medical assistance claim or lien when the Office of Recovery Services does not
receive notice of a probate proceeding.
Money Appropriated in this Bill:
None
Other Special Clauses:
None
<b>Utah Code Sections Affected:</b>
AMENDS:
75-3-104.5, as enacted by Laws of Utah 2018, Chapter 443



27

Be it enacted by the Legislature of the state of Utah:

H.B. 343 02-14-20 4:49 PM

28	Section 1. Section <b>75-3-104.5</b> is amended to read:
29	75-3-104.5. Notice to the Office of Recovery Services.
30	[(1)] Within 30 days after the day on which a [petitioner or personal representative files
31	an action] person files an application or a petition for probate under this chapter for a decedent
32	who was at least 55 years old, the [petitioner or personal representative shall send a copy of the
33	pleadings, by certified mail,] court shall provide notice of the application or petition to the
34	Office of Recovery Services created in Section 62A-1-105 for purposes of presentation or
35	enforcement of a lien or claim under Section 26-19-405.
36	[(2) Failure to provide notice as described in Subsection (1) tolls all limitations
37	concerning the state's presentation or enforcement of a lien or claim under Section 26-19-405.