

SENATE FILE NO. SF0091

Probate-discovered property publication requirements.

Sponsored by: Senator(s) Kost, Driskill, Gierau, Pappas,
Perkins and Schuler and Representative(s)
Harshman and Henderson

A BILL

for

1 AN ACT relating to wills, estates and probate; specifying
2 fees that can be charged for publications required for
3 determination of heirship notices; specifying
4 applicability; and providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 2-9-202 and 2-9-204(b) are amended to
9 read:

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11 **2-9-202. Application by petition two years after**
12 **death; fixing time for hearing; notice thereof; contents;**
13 **fee limitations.**

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1 Upon filing the petition the court shall fix a time for
2 hearing the petition not less than thirty (30) days after
3 the filing thereof. Notice of the time and place of hearing
4 shall be given to all persons interested in the proceeding
5 including creditors, heirs and devisees, setting forth the
6 filing of the petition, the date of the supposed death of
7 the deceased, his place of residence, a description of the
8 real property or interest therein of which he died seized
9 or a description of the real property on which he had made
10 an entry but had not yet received patent and the interest
11 in the real estate of the petitioner. The notice shall be
12 published once a week in a newspaper of general circulation
13 in the county for four (4) consecutive weeks prior to the
14 hearing, and shall be mailed simultaneously with the first
15 publication to those persons designated in W.S. 2-7-205.

16 Notices required to be published under this section shall
17 be published and charged at a rate not to exceed the amount
18 charged by a newspaper to counties under W.S. 18-3-518(a),
19 at the lowest rate for display advertising or at the open
20 local display advertising rate, whichever is less.

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1 **2-9-204. Procedure when applicant for public land**
2 **dies and patent issued to heirs; publication fee**
3 **limitations.**

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5 (b) Notice of the time and place for hearing the
6 petition shall be given by publishing notice thereof at
7 least once each week for three (3) successive weeks in some
8 newspaper of general circulation in the county and the
9 mailing of true copies to all known heirs of the deceased
10 person at least ten (10) days prior to the date fixed for
11 the hearing. Proof of publication and mailing shall be made
12 to the court upon the hearing. Notices required to be
13 published under this subsection shall be published and
14 charged at a rate not to exceed the amount charged by a
15 newspaper to counties under W.S. 18-3-518(a), at the lowest
16 rate for display advertising or at the open local display
17 advertising rate, whichever is less. Any time before the
18 date fixed for the hearing any person interested in the
19 lands as heir at law or devisee of the decedent or as the
20 grantee of any such heir at law or devisee, may answer the
21 petition and deny any of the matters contained therein. At
22 the time fixed for the hearing or at such time thereafter
23 as may be fixed by the court, the court shall hear the

1 proofs offered by petitioner and any person answering the
2 same, and shall make a decree conformable to the proofs.
3 The decree shall have the same force and effect as decrees
4 entered in accordance with the provisions of the Code of
5 Civil Procedure.

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7 **Section 2.** The provisions of this act shall apply to
8 petitions filed under W.S. 2-9-202 and 2-9-204 on or after
9 the effective date of this act.

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11 **Section 3.** This act is effective July 1, 2021.

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(END)