

**Bill No.:** SF0107 **Effective:** 7/1/2017

**LSO No.:** 17LSO-0516

**Enrolled Act No.:** SEA No. 0048

**Chapter No.:** [Chapter Number\_RO]

**Prime Sponsor:** Perkins

**Catch Title:** Probate code amendments.

**Subject:** Amends the probate code by setting a deadline for objections to summary probate applications and barring untimely objections; providing notice to an agent or an attorney is notice to a party; and permitting the court to issue a decree of final distribution upon a finding that no inheritance or estate tax is chargeable to the estate.

**Summary/Major Elements:**

- The probate code provides streamlined (summary) probate procedures for estates valued less than two hundred thousand dollars (\$200,000.00). The statute allows for summary probate after notice by publication. Under existing statute, any objection to an application for summary distribution of property must be filed within thirty (30) days of publication of notice.
- This act amends the summary procedure in three ways. First, the act allows notice to be sent to the agent or attorney of an interested party. Next, the act amends the time to file objections to twenty (20) days after notice by mail or thirty days after notice by publication, whichever is later. Finally, the act provides that an untimely objection is barred.
- The act also amends the notice provisions applicable to regular probate procedure. As with the summary procedure, the act allows notice to be sent to the agent or attorney of an interested party.
- The act also narrows the prerequisites to the issuance of a final decree of distribution to either a finding by the court that no inheritance or estate taxes are chargeable against the estate or that all taxes and interest have been paid.

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