

SENATE FILE NO. SF0068

Summary probate-amendments.

Sponsored by: Senator(s) Ross and Representative(s) Brown,
Lubnau, Nicholas, B. and Stubson

A BILL

for

1 AN ACT relating to probate; amending maximum value of
2 estates that will qualify for summary probate procedures;
3 amending information that is required on an application for
4 summary probate; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 2-1-201(a)(i) and (iii) and
9 2-1-205(a) are amended to read:

10

11 **2-1-201. Payment of indebtedness and delivery of**
12 **tangible personal property or instruments evidencing debt.**

13

14 (a) Not earlier than thirty (30) days after the death
15 of a decedent, any person indebted to the decedent or
16 having possession of tangible personal property or an

1 instrument evidencing a debt, obligation, stock or chose in
2 action belonging to the decedent shall make payment of the
3 indebtedness or deliver the tangible personal property or
4 the instrument evidencing the debt, obligation, stock or
5 chose in action to the person or persons claiming to be the
6 distributees of the property, upon being presented an
7 affidavit, filed as provided by subsection (c) of this
8 section, made by or on behalf of the distributee stating:

9
10 (i) The value of the entire estate, ~~wherever~~
11 located in Wyoming or otherwise subject to probation
12 administration in this state, less liens and encumbrances,
13 does not exceed ~~one hundred fifty thousand dollars~~
14 ~~(\$150,000.00)~~ two hundred thousand dollars (\$200,000.00);

15
16 (iii) No application for appointment of a
17 personal representative is pending or has been granted in
18 any jurisdiction in this state; and

19
20 **2-1-205. Summary procedure for distribution of real**
21 **property; application for decree; notice by publication;**
22 **presumptive evidence of title; effect of false statements.**

(a) If any person dies who is the owner of real property, including mineral interests, but whose entire estate including personal property does not exceed ~~one hundred fifty thousand dollars (\$150,000.00)~~ two hundred thousand dollars (\$200,000.00), the person or persons claiming to be the distributees of the decedent may file, not earlier than thirty (30) days after the decedent's death, an application for a decree in the district court of the county where the property is situated.

10

11 **Section 2.** This act is effective July 1, 2011.

12

13 (END)