

HOUSE BILL NO. HB0024

Probate amendments.

Sponsored by: Representative(s) Lubnau and Brown and
Senator(s) Ross

A BILL

for

1 AN ACT relating to probate; amending maximum values for
2 certain proceedings relating to probate of estates; and
3 providing for an effective date.

4

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

6

7 **Section 1.** W.S. 2-1-204(a)(i), 2-11-201 and
8 2-11-202(a)(intro) are amended to read:

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10 **2-1-204. Collection of claims of certain creditors of**
11 **decedent by affidavit.**

12

13 (a) Not earlier than ninety (90) days after the death
14 of a decedent, the United States, or any agency or
15 instrumentality thereof, or the state of Wyoming, or any
16 agency, instrumentality or political subdivision thereof,

1 to whom the decedent was indebted or to whom the decedent's
2 estate would be indebted if the estate were being
3 administered upon, may collect all of the assets of the
4 decedent referred to in W.S. 2-1-201, upon presentation of
5 an affidavit to the parties referred to in W.S. 2-1-201,
6 stating:

7
8 (i) The value of the entire estate, wherever
9 located, less liens and encumbrances, does not exceed ~~one~~
10 ~~hundred fifty thousand dollars (\$150,000.00)~~ two hundred
11 thousand dollars (\$200,000.00);

12
13 **2-11-201. Probate of estates of nonresidents.**

14
15 In case of a nonresident's estate having property in this
16 state not exceeding in value the sum of ~~one hundred fifty~~
17 ~~thousand dollars (\$150,000.00)~~ two hundred thousand dollars
18 (\$200,000.00), which estate has been duly probated and
19 settled in another state, the probate of the estate in this
20 state may be dispensed with upon filing with the district
21 judge in the proper county a petition under oath showing
22 the facts in the case together with certified copies of the
23 petition, order of appointment of executor or
24 administrator, inventory and final decree of distribution

1 of estate therein, and a full showing that debts of the
2 estate have been paid and the district judge giving notice
3 by publication for the period of three (3) weeks of the
4 intention of the petitioner to have the probate proceedings
5 admitted in this state as a probate of the estate. If on
6 the day set for hearing the petition no objection is made,
7 the judge shall make an order admitting the certified
8 copies of the proceedings in the estate to record in his
9 court and they shall be considered and treated from that
10 time as original proceedings in his court and shall be
11 conclusive evidence of the facts therein shown. If at such
12 hearing any creditor objects to the proceedings and shows
13 that the decedent is indebted to him, his claim not having
14 been presented in the original state, the matter shall be
15 postponed and the creditor or other person shall be allowed
16 to petition for letters of administration as in other
17 cases. This section shall not be construed to prevent the
18 courts of this state from appointing a temporary
19 administrator in this state to collect and preserve the
20 property of the estate of the deceased person which may be
21 located in this state.

22

23 **2-11-202. Nonresident property in Wyoming;**
24 **disposition.**

1

(a) In case of a nonresident's estate having property in this state not exceeding in value the sum of ~~one hundred fifty thousand dollars (\$150,000.00)~~ two hundred thousand dollars (\$200,000.00), which estate is being duly probated and settled in another state, the Wyoming district judge may enter an order for the sale of the property located in this state provided:

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10 **Section 2.** This act is effective immediately upon
11 completion of all acts necessary for a bill to become law
12 as provided by Article 4, Section 8 of the Wyoming
13 Constitution.

14

15 (END)