

SENATE FILE NO. SF0048

Summary probate-amendments.

Sponsored by: Senator(s) Case and Representative(s) Larsen
and Laursen

A BILL

for

1 AN ACT relating to wills, estates and probate; amending
2 maximum estate values for summary probate proceedings;
3 specifying applicability; and providing for an effective
4 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), 2-1-204(a)(i) 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

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

12

13 (i) The value of the entire estate located in
14 Wyoming subject to administration, either testate or
15 intestate, less liens and encumbrances, does not exceed ~~two~~
16 ~~hundred thousand dollars (\$200,000.00)~~ five hundred
17 thousand dollars (\$500,000.00);

18

19 **2-1-204. Collection of claims of certain creditors of**
20 **decedent by affidavit.**

21

22 (a) Not earlier than ninety (90) days after the death
23 of a decedent, the United States, or any agency or

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

9

10 (i) The value of the entire estate, wherever
11 located, less liens and encumbrances, does not exceed ~~two~~
12 ~~hundred thousand dollars (\$200,000.00)~~ five hundred
13 thousand dollars (\$500,000.00);

14

15 **2-1-205. Summary procedure for distribution of**
16 **personal or real property; application for decree; notice**
17 **by publication; presumptive evidence of title; effect of**
18 **false statements.**

19

20 (a) If any person dies who is the owner of personal
21 or real property, including mineral interests, but whose
22 entire estate including personal property does not exceed
23 ~~two hundred thousand dollars (\$200,000.00)~~ five hundred

1 thousand dollars (\$500,000.00), less liens and
2 encumbrances, the person or persons claiming to be the
3 distributee or distributees of the decedent may file, not
4 earlier than thirty (30) days after the decedent's death,
5 an application for a decree of summary distribution of
6 property.

7

8 **Section 2.** This act shall apply to summary probate
9 proceedings filed on or after July 1, 2021.

10

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

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13

(END)