

SENATE BILL 1127

By Rose

AN ACT to amend Tennessee Code Annotated, Title 30
and Title 31, relative to estates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 30-2-103(b), is amended by deleting the subsection and substituting:

(b)

(1) An employer shall pay any wages or other compensation owed a deceased employee at the time of the employee's death directly to the surviving spouse of a decedent or, if there is no surviving spouse, to the surviving children of the decedent as tenants in common.

(2)

(A) If six (6) months have passed since the decedent's death without an application being made for the appointment of a personal representative, then a person other than an employer owing or holding funds for a decedent is authorized to pay a sum not exceeding ten thousand dollars (\$10,000) directly to the surviving spouse of a decedent or, if no surviving spouse exists, to the surviving children of the decedent as tenants in common.

(B) If such funds exceed ten thousand dollars (\$10,000), then the excess must be paid to the personal representative or as otherwise ordered by the court.

(3) All sums paid pursuant to this subsection (b) must be charged against the elective share, homestead allowance, and year's support allowance as applicable. If a person entitled to receive payment under this subsection (b) is a minor, then the sum must be paid to the guardian or custodian for the minor's benefit.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.