

ENROLLED ACT NO. 62, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to the probate code; creating a definition for summary probate procedures; specifying how distribution through intervening estates may take place; specifying limits for creditor claims to distributed property; amending procedures for summary probate distribution; specifying applicability; and providing for an effective date.

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

Section 1. W.S. 2-1-209 is created to read:

2-1-209. "Distributee" defined.

(a) As used in this article, "distributee" means as defined in W.S. 2-1-301(a)(xiii) and includes any person who is a successor in interest to the decedent:

(i) As an heir;

(ii) As a beneficiary;

(iii) Through the intervening estates of the decedent's heirs, beneficiaries, successors or assigns; or

(iv) Through an established record of ownership.

Section 2. W.S. 2-1-205(f) and by creating new subsections (k) and (m) is amended to read:

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

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(f) An objection to an application shall be filed before the expiration of the later of twenty (20) days after the mailing required by subsection (d) of this section or thirty (30) days after the date of first publication. An untimely objection is forever barred. If no timely objection is filed, the court shall enter a decree establishing the right and title to the property located in Wyoming. A certified copy of the decree shall be recorded in the office of the county clerk of each county in which the real property, including mineral interests, is located. Upon recording of the decree, the decree and the record thereof shall be presumptive evidence of title to the property. If an objection to the application is filed within the time provided in this subsection, the court shall set the matter for a hearing, after which the court shall enter an order either denying or granting the application.

(k) Distributions of property under this article to a person who claims title to the decedent's property through intervening estates is authorized if the person is a distributee as defined in W.S. 2-1-209.

(m) A distributee who has satisfied the requirements of this section and W.S. 2-1-201 is entitled to a decree of summary distribution and no further action under this title is required.

Section 3. This act shall apply to any application for a decree of summary distribution of property filed under W.S. 2-1-205 on or after the effective date of this act.

ORIGINAL HOUSE
BILL NO. HB0086

ENGROSSED

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk