

NOTE: As provided in LFC policy, this report is intended only for use by the standing finance committees of the legislature. The Legislative Finance Committee does not assume responsibility for the accuracy of the information in this report when used for other purposes.

The most recent FIR version (in HTML & Adobe PDF formats) is available on the Legislative Website. The Adobe PDF version includes all attachments, whereas the HTML version does not. Previously issued FIRs and attachments may be obtained from the LFC in Suite 101 of the State Capitol Building North.

FISCAL IMPACT REPORT

SPONSOR: Nunez DATE TYPED: 2/28/03 HB 879
 SHORT TITLE: Probate Time Limits SB _____
 ANALYST: Maloy

APPROPRIATION

| Appropriation Contained | | Estimated Additional Impact | | Recurring or Non-Rec | Fund Affected |
|-------------------------|------|-----------------------------|------|----------------------|---------------|
| FY03 | FY04 | FY03 | FY04 | | |
| | NFI | | NFI | | |
| | | | | | |

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

Responses Received From
 Office of the Attorney General
 Administrative Offices of the Court

SUMMARY

Synopsis of Bill

House Bill 879 enacts a new section of the Uniform Probate Code. This new section requires a personal representative: (1) to make reports to interested parties every three months about the status of the administration of the decedent's estate, and (2) to give a final report to all interested parties of the settlement of the decedent's estate no later than three years after commencing the administration of the decedent's estate.

Significant Issues

1. Probate matters can be drawn out and time consuming. It may be onerous for a personal representative to have to report to all interest parties every three months.

 If this is to be required, it would be most helpful if the Probate Court were to provide short, concise form reports for use by the public.
2. Requiring communication with interested parties would be beneficial because family members and other interested parties often become very frustrated by the lack of information they are provided during the probate process.

3. The reports should become part of the accessible court file in order that those who may not be known as interested parties may have a means of checking on the status of a probate matter.

FISCAL IMPLICATIONS

There is fiscal impact on the state. However, there may be minor budget and staff implications for the Probate Courts in developing form reports and monitoring the appropriate distribution of required status reports.

SJM/njw