

Original sponsors: Stevens and Kerttula

Offered: 3/21/68  
Referred: Rules

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 403

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the administration of small estates.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 \* Section 1. AS 13.30.002 - AS 13.30.100 are repealed.

9 \* Sec. 2. AS 13.30 is amended by adding a new section to read:

10 Sec. 13.30.011. WHEN ESTATES ARE SET ASIDE. (a) If upon filing  
11 the inventory of the estate of a decedent it appears that the value of  
12 the estate does not exceed \$10,000 above all valid recorded liens and  
13 encumbrances, the court may order the whole estate set aside to the  
14 surviving spouse, or if there is none, then to the guardian of the  
15 minor children. If the decedent leaves neither surviving spouse nor  
16 minor children, all the property of the estate shall be held by the  
17 administrator for the payment of funeral expenses, expenses of adminis-  
18 tration, the debts of the deceased and distribution according to law.

19 (b) The spouse, guardian or administrator to whom the estate is  
20 to be set aside under (a) of this section shall, at the time of filing  
21 the inventory of the estate, furnish the court with an affidavit which  
22 contains a list of the debts of the decedent. Any debt not listed in  
23 the affidavit is not discharged. The court may, within six months of  
24 issuing an order to set an estate aside, vacate it if the court finds  
25 that the affiant intentionally failed to list a debt.

26 (c) The court may not set aside an estate under (a) of this section  
27 until 10 days after a letter has been mailed to each of the creditors of  
28 the decedent stating that a request to set the estate aside has been  
29 made.