

CR 100 ①  
7/10/73

LSA 380

# HOUSE BILL 140, 1973

**Title:** AN ACT to amend section 2-2 of the statutes relating to the duty of the county attorney to administer estates; raising the value of estates to be administered; and providing an executor may refuse appointment and request administration by the county attorney.

HOUSE BILL 140, 1973

Introduced by:

*Ellen Greenley*

*Walter H. H. H.*

DATE	ACTION	DATE	ACTION
JAN 16 1973	INTRODUCED	FEB 16 1973	READ THIRD TIME
	READ FIRST TIME		PASSED
	REFERRED TO COM. NO. 1		Ayes 25 Noes 5 Excused 0 Absent 0
	DELIVERED TO COM. NO. 1		SENT TO HOUSE
JAN 16 1973	To printer	FEB 16 1973	RECEIVED
JAN 17 1973	From "		REFERRED TO LSA FOR ENROLLING
FEB 6 1973	RETURNED		FROM LSA ENROLLED
	Recommended: Amend and Do Pass		MEMO 66
	PLACED IN GENERAL FILE		SIGNED BY SPEAKER
FEB 6 1973	CONSIDERED IN COM. OF WHOLE		SIGNED BY PRESIDENT
	Standing Com. Amendment HB140HSA 2/21		APPROVED BY GOVERNOR
	ADOPTED		CHAPTER NO. 38 SESSION LAWS OF WYOMING
	RECOMMENDED DO PASS		HB140 D
FEB 6 1973	READ SECOND TIME		
FEB 10 1973	Read Third Time		
	Ayes 51 Noes 4 Excused 6 Absent 1		
2-10-73	ENGROSSED		
2-12-73	Sent to Senate		
	Received from House FEB 12 1973		
	Read first time FEB 12 1973		
	Referred to Com. o. 1		
	Referred to Com. No. 1		
FEB 14 1973	COM. RECOMMENDATION DO PASS		
FEB 14 1973	CONSIDERED IN CUM. OF WHOLE DO PASS		
FEB 15 1973	READ SECOND TIME		

Continued on Back

HB140

HB140NS1 - A

Page 2, Line 12, delete "THEREUPON". Strike "thus-had"

Page 2, Line 13, before "provide" insert "SHALL"

Page 3, Line 2, insert a "period" after "PROCEED". Delete  
"AS HEREINABOVE PROVIDED". After "REQUEST" insert "TO THE  
COUNTY ATTORNEY". - Simpson

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H. B. No. 140

Third Reading

Roll Call:

2/10/73

AYES: 51 NOES: 4 EXCUSED: 6 ABSENT: 1

NOES: Greenhalgh, Roth, Sadler, Mr. Speaker

EXCUSED: Geesey, Jones, Mendicino, Murray, Oslund, Rhodes

ABSENT: Scott

ENCROSSED

1973

STATE OF WYOMING

LSA-380/ENG  
RET

HOUSE BILL NO. 140

County attorney -- administration of estates.

Introduced by: Representatives CROWLEY and URBIGKIT

A BILL

for

1 AN ACT to amend section 2-2 of the statutes relating to  
2 the duty of the county attorney to administer estates;  
3 raising the value of estates to be administered; and pro-  
4 viding an executor may refuse appointment and request  
5 administration by the county attorney.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WYOMING:

7 Section 1. Section 2-2 of the statutes is amended to  
8 read:

9 2-2. Duty of county attorney in administration of  
10 estates of \$1,500 or less.

11 (a) Upon information being received by the county  
12 attorney of any county, from an officer or citizen of ~~such~~  
13 THE county, that a person has died within ~~such~~ THE county,  
14 leaving an estate estimated to be of the value of ~~five~~  
15 ~~hundred-dollars~~ \$1,500 or less, it ~~shall-be~~ IS the duty of  
16 ~~such~~ THE COUNTY attorney to cause a full and complete  
17 inventory of ~~such~~ THE estate to be made, following, as

1 near as may be, the provisions of the probate code ~~in--so~~  
2 ~~doing~~, and file the same ~~with-a-petition-setting-forth-all~~  
3 ~~the--facts--in--the-case~~ in the district court of ~~such~~ THE  
4 county, TOGETHER WITH A PETITION TO THE DISTRICT COURT TO  
5 ADMINISTER THE ESTATE. and The property belonging to ~~such~~  
6 THE deceased person shall ~~also~~ be surrendered to the clerk  
7 of ~~such~~ court, who shall have the same power to receive  
8 and receipt for debts due ~~such~~ THE deceased persons as are  
9 given executors and administrators by ~~said~~ THE probate  
10 code, and the same power to account for and dispose of  
11 ~~such~~ THE estate in the interest thereof. ~~†-and~~ The court  
12 or judge shall review the proceedings ~~thus-had~~ and SHALL  
13 provide for the further ~~or~~ AND final disposition ~~thereof~~  
14 OF THE ESTATE to the heirs as provided by law OR TO THE  
15 DEVISEES AND LEGATEES UNDER THE WILL OF THE DECEASED and  
16 upon such terms and under such conditions as shall seem to  
17 the best advantage of the estate and heirs, ~~thereof~~  
18 DEVISES, AND LEGATEES. Notice to creditors and all other  
19 notices may be dispensed with, upon order by the court or  
20 judge, in any proceedings under the provisions of this  
21 section.

22 (b) THIS ACT SHALL APPLY TO ALL ESTATES ESTIMATED TO  
23 BE OF THE VALUE OF \$1,500 OR LESS. IF THE DECEASED PERSON  
24 DIED TESTATE AND HAD NAMED AN EXECUTOR IN HIS WILL, THE  
25 EXECUTOR SO NAMED SHALL FILE HIS RENUNCIATION OF HIS RIGHT

1 TO LETTERS TESTAMENTARY IF HE ELECTS TO REQUEST THE COUNTY  
2 ATTORNEY TO PROCEED. THE REQUEST TO THE COUNTY ATTORNEY  
3 SHALL BE MADE IN WRITING AND BECOME A PART OF THE PROBATE  
4 RECORD.

5 (END)

1973

STATE OF WYOMING

LSA-380.01

RET

HOUSE BILL NO. 140

County attorney -- administration of estates.

Introduced by: Representative CROWLEY

*Ellen Crowley*  
*Walt Meyer*

A BILL

for

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2 the duty of the county attorney to administer estates;  
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5 ADMINISTER THE ESTATE, and The property belonging to ~~such~~  
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7 of ~~such~~ court, who shall have the same power to receive  
8 and receipt for debts due ~~such~~ THE deceased persons as are  
9 given executors and administrators by ~~said~~ THE probate  
10 code, and the same power to account for and dispose of  
11 ~~such~~ THE estate in the interest thereof, ~~and~~ The court  
12 or judge shall THEREUPON review the proceedings thus had  
13 and provide for the further ~~or~~ AND final disposition  
14 ~~thereof~~ OF THE ESTATE to the heirs as provided by law OR  
15 TO THE DEVISEES AND LEGATEES UNDER THE WILL OF THE  
16 DECEASED and upon such terms and under such conditions as  
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2 ATTORNEY TO PROCEED AS HEREINABOVE PROVIDED. THE REQUEST  
3 SHALL BE MADE IN WRITING AND BECOME A PART OF THE PROBATE  
4 RECORD.

5 (END)