

No. 2006-17

AN ACT

SB 509

Amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for classification and order of payment of claims against the estate of a decedent.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 3392 of Title 20 of the Pennsylvania Consolidated Statutes is amended to read:

§ 3392. Classification and order of payment.

If the applicable assets of the estate are insufficient to pay all proper charges and claims in full, the personal representative, subject to any preference given by law to claims due the United States, shall pay them in the following order, without priority as between claims of the same class:

- (1) The costs of administration.
- (2) The family exemption.
- (3) The costs of the decedent’s funeral and burial, and the costs of medicines furnished to him within six months of his death, of medical or nursing services performed for him within that time, of hospital services including maintenance provided him within that time, *of services provided under the medical assistance program provided within that time* and of services performed for him by any of his employees within that time.
- (4) The cost of a gravemarker.
- (5) Rents for the occupancy of the decedent’s residence for six months immediately prior to his death.

***(5.1) Claims by the Commonwealth and the political subdivisions of the Commonwealth.***

- (6) All other claims[, **including claims by the Commonwealth**].

Section 2. This act shall apply to the estate of a decedent who dies on or after the effective date of this act.

Section 3. This act shall take effect immediately.

APPROVED—The 21st day of February, A.D. 2006.

EDWARD G. RENDELL