

No. 130

AN ACT

SB 762

Amending the act of April 24, 1947 (P.L.100), entitled "An act relating to the incidents of legal and equitable interests in real and personal property, including the validity thereof, the powers, rights, and duties of persons with respect thereto, and the disposition of interests which fail, and containing provisions concerning termination of trusts, releases and disclaimers of powers and interests, perpetuities, accumulations, charitable estates, rights of a surviving spouse in property as to which the decedent has retained certain powers, spendthrift trusts, limited estates in property, rules of interpretation, estates pur autre vie, estates in fee tail, and the Rule in Shelley's Case," providing a rule of interpretation regarding the time for ascertainment of certain classes.

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

Section 1. Section 14, act of April 24, 1947 (P.L.100), known as the "Estates Act of 1947," is amended by adding after clause (1), a new clause to read:

Section 14. Rules of Interpretation.—In the absence of a contrary intent appearing therein, conveyances shall be construed, as to real and personal estate, in accordance with the following rules.

* * *

(1.1) Time for Ascertaining Class. In construing a conveyance to a class other than a class described in section 14(1), the class shall be ascertained at the time the conveyance is to take effect in enjoyment, except that the issue then living of any member of the class who is then dead shall take per stirpes the share which their deceased ancestor would have taken if he had then been living.

* * *

Section 2. This act shall take effect immediately.

APPROVED—The 22nd day of June, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 130.



Secretary of the Commonwealth.