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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 309 Session of  
2023

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INTRODUCED BY M. MACKENZIE, R. MACKENZIE, BURGOS, GILLEN,  
KAUFFMAN, LEADBETER, ROSSI, ROWE, STAMBAUGH AND ZIMMERMAN,  
MARCH 10, 2023

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REFERRED TO COMMITTEE ON JUDICIARY, MARCH 10, 2023

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AN ACT

1 Amending Title 20 (Decedents, Estates and Fiduciaries) of the  
2 Pennsylvania Consolidated Statutes, in dispositions  
3 independent of letters, family exemption, probate of wills  
4 and grant of letters, further providing for payments to  
5 family and funeral directors.

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

8 Section 1. Section 3101(b) and (e)(1)(ii) of Title 20 of the  
9 Pennsylvania Consolidated Statutes are amended to read:

10 § 3101. Payments to family and funeral directors.

11 \* \* \*

12 (b) Deposit account.--Any bank, savings association, savings  
13 and loan association, building and loan association, credit  
14 union or other savings organization, at any time after the death  
15 of a depositor, member or certificate holder, shall pay the  
16 amount on deposit or represented by the certificate, when the  
17 total standing to the credit of the decedent in that institution  
18 does not exceed \$10,000, to the spouse, any child, the father or  
19 mother [or], any sister or brother or any grandchild (preference

1 being given in the order named) of the deceased depositor,  
2 member or certificate holder, provided that a receipted funeral  
3 bill or an affidavit, executed by a licensed funeral director  
4 which sets forth that satisfactory arrangements for payment of  
5 funeral services have been made, is presented. Any bank,  
6 association, credit union or other savings organization making  
7 such a payment shall be released to the same extent as if  
8 payment had been made to a duly appointed personal  
9 representative of the decedent and it shall not be required to  
10 see to the application thereof. Any person to whom payment is  
11 made shall be answerable therefor to anyone prejudiced by an  
12 improper distribution.

13 \* \* \*

14 (e) Unclaimed property.--

15 (1) In any case where property or funds owned by an  
16 individual who has died a resident of this Commonwealth have  
17 been reported to the Commonwealth and are in the custody of  
18 the State Treasurer as unclaimed or abandoned property, the  
19 State Treasurer, at any time after the death of the  
20 individual, shall be authorized under this section to  
21 distribute the property or to pay the amount being held in  
22 custody where all of the following conditions are present:

23 \* \* \*

24 (ii) The person claiming the property or the funds  
25 is the surviving spouse, child, mother or father, [or]  
26 sister or brother or grandchild of the decedent, with  
27 preference given in that order.

28 \* \* \*

29 Section 2. This act shall take effect in 60 days.