
HOUSE BILL 1060

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Ludwig, Padden, R. Meyers, Orr, Winsley and Sheldon.

Read first time January 17, 1991. Referred to Committee on Judiciary.

1 AN ACT Relating to notice to the creditors of a deceased person;
2 amending RCW 11.40.010; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 11.40.010 and 1989 c 333 s 1 are each amended to read
5 as follows:

6 Every personal representative shall, after appointment and
7 qualification, give a notice to the creditors of the deceased, stating
8 such appointment and qualification as personal representative and
9 requiring all persons having claims against the deceased to serve the
10 same on the personal representative or the estate's attorney of record,
11 and file an executed copy thereof with the clerk of the court, within
12 four months after the date of the first publication of such notice
13 described in this section or within four months after the date of the
14 filing of the copy of such notice with the clerk of the court,
15 whichever is the later, or within the time otherwise provided in RCW

1 11.40.013. The four-month time period after the later of the date of
2 the first publication of the notice to creditors or the date of the
3 filing of such notice with the clerk of the court is referred to in
4 this chapter as the "four-month time limitation." Such notice shall be
5 given as follows:

6 (1) The personal representative shall give actual notice, as
7 provided in RCW 11.40.013, to such creditors who become known to the
8 personal representative within such four-month time limitation;

9 (2) The personal representative shall cause such notice to be
10 published once in each week for three successive weeks in the county in
11 which the estate is being administered; and

12 (3) The personal representative shall file a copy of such notice
13 with the clerk of the court.

14 Except as otherwise provided in RCW 11.40.011 or 11.40.013, any
15 claim not filed within the four-month time limitation shall be forever
16 barred, if not already barred by any otherwise applicable statute of
17 limitations. Proof by affidavit of the giving and publication of such
18 notice shall be filed with the court by the personal representative.

19 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of the
21 state government and its existing public institutions, and shall take
22 effect immediately.