

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1060

Chapter 5, Laws of 1991

52nd Legislature
1991 Regular Session

CLAIMS AGAINST DECEDENT'S ESTATE--FILING WITH COURT REQUIRED

EFFECTIVE DATE: 4/8/91

Passed by the House February 15, 1991
Yeas 87 Nays 0

JOE KING
Speaker of the
House of Representatives

Passed by the Senate March 27, 1991
Yeas 48 Nays 0

JOEL PRITCHARD
President of the Senate

Approved April 8, 1991

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1060** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

April 8, 1991 - 3:31 p.m.

Secretary of State
State of Washington

HOUSE BILL 1060

Passed Legislature - 1991 Regular Session

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,

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

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

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

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

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

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

Passed the House February 15, 1991.
Passed the Senate March 27, 1991.
Approved by the Governor April 8, 1991.
Filed in Office of Secretary of State April 8, 1991.