WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1972

ENROLLED

HOUSE BILL No. 506

(By Mr. Steptee)

PASSED March 10, 1972

In Effect 90 days from Passage
AN ACT to amend and reenact section twenty-one, article two, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to raising the amount preferably payable for funeral expenses; raising the amount preferably allowable for claims of physicians, accounts of druggists, claims of professional nurses and accounts of hospitals and sanitariums; requiring the excess of amounts preferably paid for funeral expenses and physicians, druggists, professional nurses and hospitals and sanitariums to be paid only if the commissioner of accounts determines them to be reasonable and to have been necessarily incurred.

Be it enacted by the Legislature of West Virginia:

That section twenty-one, article two, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 2. PROOF AND ALLOWANCE OF CLAIMS AGAINST ESTATES OF DECEDENTS.

§44-2-21. Order in which debts of decedent to be paid.

1 When the assets of the decedent in the hands of his personal representative, after the payment of charges of administration, are not sufficient for the satisfaction of all demands against him, they shall be applied in the following order:

6 (a) To the payment of funeral expenses, to an amount not exceeding six hundred dollars;
(b) To the claims of physicians, not exceeding one hundred dollars, for services rendered during the last illness of the decedent; and accounts of druggists, not exceeding the same amount, for articles furnished during the same period; and claims of professional nurses or other person rendering service as nurse to the decedent, at his request or the request of some member of his immediate family, not exceeding the same amount, for services rendered during the same period; and accounts of hospitals and sanitariums, not exceeding the same amount, for articles furnished and services rendered during the same period;

(c) To debts due the United States;

(d) To debts due this state;

(e) To taxes and levies assessed upon the decedent previous to his death;

(f) To debts due as trustee for persons under disabilities, as receiver or commissioner under decree of court of this state, as personal representative, guardian, committee or other fiduciary, where the qualification was in this state;

(g) To the balances on any items listed in paragraphs (a) and (b) hereof but only to the extent that they are determined by the commissioner of accounts to be reasonable in amount and to have been necessarily incurred, and to all other demands except those in the next class;

(h) To voluntary obligations.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signatures]

Chairman Senate Committee

Chairman House Committee

Originated in the House.

In effect ninety days from passage.

[Signatures]

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within Approved this the 27th
day of March, 1972.

[Signature]
Governor