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OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1972



ENROLLED

HOUSE BILL No. 506

(By Mr. Stephens)



PASSED March 10 1972

In Effect 90 days from Passage



FILED IN THE OFFICE
JOHN D. ROUFFELLE, IV
SECRETARY OF STATE

THIS DATE 3-28-72

506

ENROLLED

House Bill No. 506

(By MR. STEPTOE)

[Passed March 10, 1972; in effect ninety 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 per-
2 sonal representative, after the payment of charges of ad-
3 ministration, are not sufficient for the satisfaction of all
4 demands against him, they shall be applied in the follow-
5 ing order:

6 (a) To the payment of funeral expenses, to an amount
7 not exceeding six hundred dollars;

- 8 (b) To the claims of physicians, not exceeding one
9 hundred dollars, for services rendered during the last ill-
10 ness of the decedent; and accounts of druggists, not ex-
11 ceeding the same amount, for articles furnished during
12 the same period; and claims of professional nurses or
13 other person rendering service as nurse to the decedent,
14 at his request or the request of some member of his im-
15 mediate family, not exceeding the same amount, for ser-
16 vices rendered during the same period; and accounts of
17 hospitals and sanitariums, not exceeding the same
18 amount, for articles furnished and services rendered
19 during the same period;
- 20 (c) To debts due the United States;
- 21 (d) To debts due this state;
- 22 (e) To taxes and levies assessed upon the decedent
23 previous to his death;
- 24 (f) To debts due as trustee for persons under disabil-
25 ities, as receiver or commissioner under decree of court of
26 this state, as personal representative, guardian, committee
27 or other fiduciary, where the qualification was in this
28 state;
- 29 (g) To the balances on any items listed in paragraphs
30 (a) and (b) hereof but only to the extent that they are
31 determined by the commissioner of accounts to be reason-
32 able in amount and to have been necessarily incurred,
33 and to all other demands except those in the next class;
- 34 (h) To voluntary obligations.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is ~~cor~~rectly enrolled.

Russell G. Beall
Chairman Senate Committee

Phyllis J. Kuthberg
Chairman House Committee

Originated in the House.

In effect ninety days from passage.

Howard E. Wilson
Clerk of the Senate

C. A. Blankenship
Clerk of the House of Delegates

E. Henry McCurt
President of the Senate

Lewis D. McMane
Speaker House of Delegates

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

Richard S. Moore, Jr.
Governor

PRESENTED TO THE
GOVERNOR

Date 3/16/72

Time 2:10 p.m.