

IN THE SENATE

SENATE BILL NO. 1239

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO DUTIES OF PUBLIC ADMINISTRATORS; AMENDING SECTION 14-105, IDAHO CODE, TO REVISE DUTIES OF THE PUBLIC ADMINISTRATOR REGARDING THE ASSETS OF ESTATES TAKEN INTO HIS POSSESSION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 14-105, Idaho Code, be, and the same is hereby amended to read as follows:

14-105. INVENTORY BY PUBLIC ADMINISTRATOR -- PROCEDURES AND DISTRIBUTION OF RESIDUAL. (1) The public administrator must make and return an inventory of all assets of estates taken into his possession, less debts of the decedent and projected costs of administration. Such net inventory must include all assets present or ascertainable at the time he takes possession of the estate. He shall administer and account for the same, converting the assets into money according to the provisions of this title, subject to the control and direction of the court.

(2) When, as shown by the inventory, the estate amounts to less than ~~one~~ five thousand dollars (\$~~15~~5,000), no notice to creditors or other formal proceedings by the public administrator are required. The public administrator shall pay funeral expenses, the expenses of the last sickness, administration and such other expenses as may be deemed appropriate by the public administrator including, but not limited to, those enumerated in section 14-120, Idaho Code. After the payment of such expenses, the court must order the residue, if any, paid as may be just to such creditors or heirs as may appear, or into the state treasury with the report of abandoned property required in section 14-517, Idaho Code, upon final distribution of the estate.