

Judiciary and Law Enforcement: Woods, Chair; Halvorson of Clayton and Renaud.

*Do Pass 4/11/85*

SENATE FILE 423

BY COMMITTEE ON JUDICIARY  
FORMERLY SSB 215 *Approved 4/11/85*

FILED MAR 12 1985

Passed Senate, Date 3-22-85 (p. 942) Passed House, Date 4-16-85 (p. 1592)

Vote: Ayes 47 Nays 0 Vote: Ayes 89 Nays 0

Approved May 8, 1985

### A BILL FOR

1 An Act relating to claims in estates for which there is  
2 insurance coverage.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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*SF 423*

1 Section 1. Section 633.410, Code 1985, is amended to read  
2 as follows:

3 633.410 LIMITATION ON FILING CLAIMS AGAINST DECEDENT'S  
4 ESTATE.

5 All claims against a decedent's estate, other than charges,  
6 whether due or to become due, absolute or contingent,  
7 liquidated or unliquidated, founded on contract or otherwise,  
8 are forever barred against the estate, the personal  
9 representative, and the distributees of the estate, unless  
10 filed with the clerk within four months after the date of the  
11 second publication of the notice to creditors. However, the  
12 personal representative may waive this limitation on filing.  
13 This section does not bar claims for which there is insurance  
14 coverage, to the extent of the coverage, or claimants entitled  
15 to equitable relief due to peculiar circumstances.

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EXPLANATION

17 This bill removes the four-month filing limit for claims  
18 against estates when, and to the extent, the claims are  
19 covered by insurance.

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SSB 215

JUDICIARY: Ritsema, Chair; Small and Coleman

SSB 215

Judiciary

SENATE/HOUSE FILE

423

New  
SF 423

BY (PROPOSED COMMITTEE ON  
JUDICIARY AND COMMITTEE ON  
JUDICIARY AND LAW ENFORCE-  
MENT BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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SENATE FILE 423

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personal representative may waive this limitation on filing.  
This section does not bar claims for which there is insurance

ROBERT T. ANDERSON  
President of the Senate

DONALD D. AVENSON  
Speaker of the House

I hereby certify that this bill originated in the Senate and  
is known as Senate File 423, Seventy-first General Assembly.

Approved  , 1985

K. MARIE TRAYER  
Secretary of the Senate

TERRY E. BRANSTAD  
Governor

S.F. 423