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SENATE FILE 293

By COMMITTEE ON JUDICIARY  
*approved 2/26 (p. 529)*

*Send for H. 2656*

Passed Senate, Date 3-5-79 (p. 641) Passed House, Date 4-20-79 (p. 1687)

Vote: Ayes 42 Nays 0 Vote: Ayes 73 Nays 0

Approved May 3, 1979

## A BILL FOR

1 An Act relating to the filing of requests and giving notice  
2 of claims against probated estates.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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1 Section 1. Section six hundred thirty-three point four  
2 hundred forty-two (633.442), Code 1979, is amended to read  
3 as follows:

4 633.442 CLAIMS BARRED AFTER TWENTY DAYS. Unless the  
5 claimant shall within twenty days after the date of mailing  
6 ~~said~~ the notice of disallowance, file a request for hearing  
7 with the clerk, and mail a copy ~~thereof~~ of the request for  
8 hearing to the personal representative and to the attorney  
9 of record, if any, the claim shall be deemed disallowed, and  
10 shall be forever barred.

11 Sec. 2. Section six hundred thirty-three point four hun-  
12 dred forty-three (633.443), Code 1979, is amended to read  
13 as follows:

14 633.443 REQUEST FOR HEARING BY CLAIMANT. At the time  
15 of the filing of a claim against an estate, or at any time  
16 thereafter prior to the time that the claim may be barred  
17 by the provisions of section 633.442, or the approval of the  
18 final report of the personal representative after notice to  
19 the claimant, the claimant may file a ~~written request, in~~  
20 ~~duplicate,~~ for hearing ~~on his claim~~ with the clerk ~~who shall~~  
21 ~~mail the duplicate to the personal representative, or to his,~~  
22 and mail a copy of the request for hearing to the personal  
23 representative and attorney of record, if any.

24 Sec. 3. This Act is effective January first following  
25 its enactment.

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#### EXPLANATION

27 This bill provides for notice to the attorney of record  
28 as well as to the personal representative of the request for  
29 a hearing by a claimant against a probated estate. The bill  
30 also changes the procedures of section 633.443 in filing re-  
31 quests and giving notice, to correspond to the procedures  
32 of section 633.442.

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Sec. 3. This Act is effective January first following its enactment.

SENATE FILE 293

AN ACT  
RELATING TO THE FILING OF REQUESTS AND GIVING NOTICE OF CLAIMS  
AGAINST PROBATED ESTATES.

\_\_\_\_\_  
TERRY E. BRANSTAD  
President of the Senate

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

\_\_\_\_\_  
FLOYD H. MILLEN  
Speaker of the House

Section 1. Section six hundred thirty-three point four hundred forty-two (633.442), Code 1979, is amended to read as follows:

633.442 CLAIMS BARRED AFTER TWENTY DAYS. Unless the claimant shall within twenty days after the date of mailing ~~said~~ the notice of disallowance, file a request for hearing with the clerk, and mail a copy thereof of the request for hearing to the personal representative and to the attorney of record, if any, the claim shall be deemed disallowed, and shall be forever barred.

I hereby certify that this bill originated in the Senate and is known as Senate File 293, Sixty-eighth General Assembly.

\_\_\_\_\_  
FRANK J. STORK  
Secretary of the Senate

Sec. 2. Section six hundred thirty-three point four hundred forty-three (633.443), Code 1979, is amended to read as follows:

633.443 REQUEST FOR HEARING BY CLAIMANT. At the time of the filing of a claim against an estate, or at any time thereafter prior to the time that the claim may be barred by the provisions of section 633.442, or the approval of the final report of the personal representative after notice to the claimant, the claimant may file a ~~written request, in duplicate,~~ for hearing ~~on his claim~~ with the clerk ~~who shall mail the duplicate to the personal representative, or to his,~~ and mail a copy of the request for hearing to the personal representative and attorney of record, if any.

Approved May 3, 1979

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ROBERT D. RAY  
Governor