

See Judiciary 2/10

Senate File 2209

Judiciary and Law Enforcement: Poffenberger, Chair: Brandt and Rapp.

FILED FEB 26 1982

SENATE FILE 2209
BY COMMITTEE ON JUDICIARY
(FORMERLY SSB 2088)
Approved (p 533)

Passed Senate, Date 3-5-82 (p 610) Passed House, Date 3-30-82 (p 1071)
Vote: Ayes 48 Nays 0 Vote: Ayes 97 Nays 0
Approved April 9, 1982 (p 1149)

A BILL FOR

1 An Act relating to the time limitation for the administration
2 of an estate including documentation of title.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. Section 633.331, Code 1981, as amended by Acts
2 of the Sixty-ninth General Assembly, 1981 Session, chapter
3 196, section 1, is amended to read as follows:

4 633.331 LIMITATION OF ADMINISTRATION. ~~Administration~~
5 Probate of a will, original administration of an intestate
6 ~~estate, testate-or-intestate, demicillary~~ or ancillary
7 administration of an estate, shall not be granted after five
8 years from the death of the decedent, whether the decedent
9 died within or without this state, unless a petition for
10 probate or administration is filed prior to the expiration
11 of the five-year period. However, the-will-of-a-decedent
12 ~~may-be-admitted-after-the-expiration-of-the-five-year-period~~
13 ~~as-documentary-evidence-of-title-only~~ this section does not
14 apply to the probate of a will of a decedent who died prior
15 to January 1, 1964.

16 EXPLANATION

17 This bill repeals the substantive provisions of chapter
18 196, Acts of the Sixty-ninth General Assembly, 1981 Session.
19 It eliminates the possibility of a will being introduced af-
20 ter the five-year period following the death of a decedent
21 to document evidence of title. The bill takes effect July
22 1 following its enactment.

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apply to the probate of a will of a decedent who died prior to January 1, 1964.

SENATE FILE 2209

AN ACT

RELATING TO THE TIME LIMITATION FOR THE ADMINISTRATION OF
AN ESTATE INCLUDING DOCUMENTATION OF TITLE.

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

Section 1. Section 633.331, Code 1981, as amended by Acts of the Sixty-ninth General Assembly, 1981 Session, chapter 196, section 1, is amended to read as follows:

633.331 LIMITATION OF ADMINISTRATION. ~~Administration~~
Probate of a will, original administration of an intestate
~~estate, testate or intestate, domiciliary or ancillary~~
administration of an estate, shall not be granted after five
years from the death of the decedent, whether the decedent
died within or without this state, unless a petition for
probate or administration is filed prior to the expiration
of the five-year period. However, ~~the will of a decedent~~
~~may be admitted after the expiration of the five-year period~~
~~as documentary evidence of title only~~ this section does not

TERRY E. BRANSTAD
President of the Senate

DELWYN STROMER
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 2209, Sixty-ninth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved 4/9 1982

ROBERT D. RAY
Governor

S.F. 2209