

1989 Senate Bill 388

Date of enactment: April 12, 1990  
Date of publication\*: April 27, 1990

# 1989 WISCONSIN ACT 234

AN ACT to amend 867.01 (1) (b), 867.02 (1) and (2) (a) 1 and 867.03 (1) (intro.) of the statutes, relating to: summary probate procedures.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 867.01 (1) (b) of the statutes is amended to read:

867.01 (1) (b) Whenever the estate, less the amount of the debts for which any property in the estate is security, does not exceed \$10,000 \$30,000 in value and the decedent is survived by a spouse or one or more minor children or both.

**SECTION 2.** 867.02 (1) and (2) (a) 1. of the statutes are amended to read:

867.02 (1) AVAILABILITY. The court shall summarily assign the estate of a deceased person without the appointment of a personal representative if the estate, less the amount of the debts for which any property in the estate is security, does not exceed \$10,000 \$30,000 in value and the estate cannot be summarily settled under s. 867.01. An estate, administration of which has been commenced under ch. 856, or a summary settlement commenced under s. 867.01 may be terminated under this section at any time that it is found to meet the requirements of this section.

(2) (a) 1. A statement that the estate does not exceed \$10,000 \$30,000 in value and cannot be summarily settled under s. 867.01.

**SECTION 3.** 867.03 (1) (intro.) of the statutes is amended to read:

867.03 (1) GENERALLY. (intro.) When a decedent leaves solely owned property in this state which does not exceed \$5,000 \$10,000 in value, any heir of the decedent may collect any money due the decedent, receive the property of the decedent if it is not an interest in or lien on real property and have any evidence of interest, obligation to or right of the decedent transferred to the affiant upon furnishing the person owing the money, having custody of the property or acting as registrar or transfer agent of the evidences of interest, obligation to or right, with an affidavit in duplicate showing:

**SECTION 4. Initial applicability.** This act first applies to actions or proceedings commenced and affidavits filed on the effective date of this SECTION.

**SECTION 5. Effective date.** This act takes effect on the first day of the 3rd month commencing after its publication.