

**75-7-511 Classification of claims.**

- (1) If the applicable assets of the deceased settlor's estate or trust estate are insufficient to pay all claims in full, the trustee shall make payment in the following order:
  - (a) reasonable funeral expenses;
  - (b) costs and expenses of administration;
  - (c) debts and taxes with preference under federal law;
  - (d) reasonable and necessary medical and hospital expenses of the last illness of the deceased settlor, including compensation of persons attending him, and medical assistance if Section 26-19-13.5 applies;
  - (e) debts and taxes with preference under other laws of this state; and
  - (f) all other claims.
- (2) No preference shall be given in the payment of any claim over any other claim of the same class, and a claim due and payable shall not be entitled to a preference over claims not due.

Renumbered and Amended by Chapter 89, 2004 General Session