

S.B. 152
PRESUMPTIVE PERSONAL REPRESENTATIVE

Representative **Scott L Wyatt** proposes the following amendments:

1. *Page 1, Line 25 through Page 2, Line 32:*

25 (1) ~~(a)~~ **(a)** "Presumptive personal representative" means:
26 ~~{(a)}~~ **(i)** the spouse of the decedent not alleged to have contributed to the death of the
27 decedent;
28 ~~{(b)}~~ **(ii)** if no spouse exists, the spouse of the decedent is incapacitated, or if the spouse of
29 the decedent is alleged to have contributed to the death of the decedent, then an adult child of
30 the decedent not alleged to have contributed to the death of the decedent; or
31 ~~{(c)}~~ **(iii)** if the spouse and all children of the decedent are incapacitated, or are alleged to
32 have contributed to the death of the decedent, then a parent of the decedent.
(b) A presumptive personal representative has only the powers, duties, and rights granted by this
Section.

2. *Page 2, Lines 44 through 47*

Senate 3rd Reading Amendments
2-13-2007:

44 (3) The presumptive personal representative's claim shall be on behalf of all heirs of
45 the decedent as defined by Section 78-11-6 or 78-11-6.5. The **presumptive** personal representative shall
46 have the same duties toward other heirs as those duties provided in Sections 75-3-701 through
47 75-3-720 **with respect to the receipt and disposition of the proceeds of any claim settlement under this**
Section .