

## H.B. 94

# UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

FEBRUARY 7, 2018 7:26 AM

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Representative **V. Lowry Snow** proposes the following amendments:

*1. Page 7, Lines 196 through 205:*

196        75-6-415. Liability for creditor claims and statutory allowances.

197        (1) To the extent the transferor's probate estate is insufficient to satisfy an allowed

198 claim against the estate or a statutory allowance to a surviving spouse or child, **only** the estate may

199 enforce the liability against property transferred at the transferor's death by a transfer on death

200 deed.

201        (2) If more than one property is transferred by one or more transfer on death deeds, the

202 liability under Subsection (1) is apportioned among the properties in proportion to their net

203 values at the transferor's death.

204        (3) A **probate** proceeding to enforce the liability under this section shall be commenced not

205 later than 12 months after the transferor's death.

**(4) The estate may expressly waive the estate's claim against the property.**