

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1545

S.P. 629

In Senate, April 10, 2025

**An Act to Clarify the Maximum Value That a Small Estate May Be
Under the Maine Uniform Probate Code to Permit Collection of
Personal Property by Affidavit**

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read "D M Grant", is positioned above the printed name of the Secretary of the Senate.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator BAILEY of York.

Cosponsored by Senators: CARNEY of Cumberland, HAGGAN of Penobscot,

Representatives: HENDERSON of Rumford, KUHN of Falmouth, LEE of Auburn, POIRIER of Skowhegan.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 18-C MRSA §3-1201, sub-§1, ¶A, as enacted by PL 2017, c. 402, Pt. A, §2 and affected by PL 2019, c. 417, Pt. B, §14, is amended to read:

A. The value of the entire estate, wherever located, less liens and encumbrances, does not exceed \$40,000, adjusted for inflation pursuant to section 1-108;

Sec. 2. 18-C MRSA §3-1201, sub-§3 is enacted to read:

3. Publication. A county probate court shall annually publish on the court's publicly accessible website the value described in subsection 1, paragraph A, including the adjustment for inflation.

SUMMARY

This bill amends the provision of law within the Maine Uniform Probate Code governing collection of personal property by use of an affidavit. This provision of law applies only to estates with values that do not exceed \$40,000, adjusted for inflation pursuant to cost-of-living adjustment provisions within the Maine Uniform Probate Code. The bill adds a cross-reference to clarify that the \$40,000 figure is adjusted for inflation. The bill also requires county probate courts to annually publish the value of this figure adjusted for inflation on the court's publicly accessible website.