

**CHAPTER 71****( HB 435 )**

AN ACT relating to claims against an estate.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 396.011 is amended to read as follows:

- (1) All claims against a decedent's estate which arose before the death of the decedent, excluding claims of the United States, the State of Kentucky and any subdivision thereof, whether due or to become due, absolute or contingent, liquidated or unliquidated, founded on contract, tort, or other legal basis, if not barred earlier by other statute of limitations~~[ or non-claim statutes]~~, are barred against the estate, the personal representative, and the heirs and devisees~~[ and non-probate transferees of the decedent]~~, unless presented within *six (6) months after the appointment of the personal representative, or where no personal representative has been appointed, within two (2) years after the decedent's death*~~[the earlier of the following:~~
  - (a) ~~Eight (8) months after the decedent's death;~~
  - (b) ~~The time period provided in KRS 396.012(2) for creditors who are given actual notice; or~~
  - (c) ~~The time period provided in KRS 396.012(1) for creditors who are barred by publication].~~
- (2) Nothing in this section shall affect or prevent:
  - (a) To the extent of the security only, any proceeding to enforce any mortgage, pledge, lien or other security interest securing an obligation of the decedent or upon property of the estate; or
  - (b) To the limits of the insurance protection only, any proceeding to establish liability of the decedent or the personal representative for which he is protected by liability insurance.

➔Section 2. The following KRS section is repealed:

396.012 Publication of notice by clerk of probate court and actual notice by personal representative regarding time limitations for filing claims.

**Signed by Governor March 22, 2021.**