

Session 107 - (1987-1988)

H 3634 General Bill, By Wilkins

A Bill to amend Sections 62-1-302, as amended, 62-5-102, 62-5-402, 62-5-411, and 62-5-424, Code of Laws of South Carolina, 1976, all relating to the South Carolina Probate Code, so as to clarify the method of settlements of claims in favor of or against minors or incapacitated persons, to specify that the Probate Court has jurisdiction over protective proceedings and guardianship proceedings, to clarify the concurrent jurisdiction of the Probate Court in determining the validity of claims for or against protected persons or their estates, to provide that conservators shall post a bond except for good cause shown, and to require the bond to equal only the estimated value of the personal property of the estate when the surety is a corporate surety licensed to do business in this State, and to clarify the authority of conservators to pay or contest claims; to amend the 1976 Code by adding Section 62-5-433, so as to establish jurisdiction and procedures for the approval of settlement of claims in favor of or against minors or incapacitated persons; and to amend the 1976 Code by adding Article 7, in Chapter 71 of Title 15, relating to remedies of minors and incompetents, so as to clarify the jurisdiction of the Circuit Court.

01/28/88 House Introduced and read first time HJ-711

01/28/88 House Referred to Committee on Judiciary HJ-712