

No. 331

AN ACT

SB 1672

Amending the act of November 25, 1970 (No. 230), entitled "An act codifying and compiling a part of the law of the Commonwealth," changing the age of minority to age 18 in the Probate, Estates and Fiduciaries Code.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 102 of Title 20, Act of November 25, 1970 (No. 230), known as the "Consolidated Pennsylvania Statutes," added June 30, 1972 (No. 164), is amended by adding a definition to read:

§ 102. Definitions.

Except as otherwise defined hereinafter or unless the context otherwise requires, in this title:

\* \* \*

*"Minor." Means an individual under the age of 18 years.*

\* \* \*

Section 2. Subsection (a) of section 2501, clause (1) of section 3156, clause (1) of section 5112, the definitions of "adult" and "minor" in section 5302, subsection (d) of section 5305, subsection (d) of section 5308 and subsection (a) of section 8602 of Title 20 of the act are amended to read:

§ 2501. Who may make a will.

(a) Persons [21] 18 or older.—Any person of sound mind [21] 18 years of age or older may by will dispose of all his real and personal estate subject to payment of debts and charges.

\* \* \*

§ 3156. Persons not qualified.

No person shall be qualified to serve as a personal representative who is:

- (1) Under [21] 18 years of age.

\* \* \*

§ 5112. Persons not qualified to be appointed by the court.

The court shall not appoint as guardian of the estate of a minor any person who is:

- (1) Under [21] 18 years of age.

\* \* \*

§ 5302. Definitions.

The following words, terms and phrases when used in this chapter shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

An "adult" is a person who has attained the age of [21] 18 years.

\* \* \*

A "minor" is a person who has not attained the age of [21] 18 years.

\* \* \*

**§ 5305. Duties and powers of custodian.**

\* \* \*

(d) To the extent that the custodial property is not so expended, the custodian shall deliver or pay it over to the minor on his attaining the age of [21] 18 years, or if the minor dies before attaining the age of [21] 18 years, he shall thereupon deliver or pay it over to the estate of the minor.

\* \* \*

**§ 5308. Resignation, death or removal of custodian; bond; designation of successor custodian.**

\* \* \*

(d) If a person designated as custodian or as successor custodian by the custodian as provided by subsection (a) of this section is not eligible, dies or becomes legally incapacitated before the minor attains the age of [21] 18 years and if the minor has a guardian, the guardian of the minor shall be successor custodian. If the minor has no guardian and if no successor custodian who is eligible and has not died or not become legally incapacitated has been designated as provided in subsection (a) of this section, a donor, his legal representative, the legal representative of the custodian, or an adult member of the minor's family, may petition the court for the designation of a successor custodian.

\* \* \*

**§ 8602. Persons who may execute an anatomical gift.**

(a) Any individual of sound mind and [21] 18 years of age or more may give all or any part of his body for any purpose specified in section 8603 of this code (relating to persons who may become donees; purposes for which anatomical gifts may be made), the gift to take effect upon death. A gift of the whole body shall be invalid unless made in writing at least 15 days prior to the date of death.

\* \* \*

APPROVED—The 6th day of December, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 331.



*Secretary of the Commonwealth.*