

No. 24

AN ACT

SB 604

Amending the act of April 24, 1947 (P.L.100), entitled "An act relating to the incidents of legal and equitable interests in real and personal property, including the validity thereof, the powers, rights, and duties of persons with respect thereto, and the disposition of interests which fail, and containing provisions concerning termination of trusts, releases and disclaimers of powers and interests, perpetuities, accumulations, charitable estates, rights of a surviving spouse in property as to which the decedent has retained certain powers, spendthrift trusts, limited estates in property, rules of interpretation, estates pur autre vie, estates in fee tail, and the Rule in Shelley's Case," removing provisions not conforming to existing law and making an editorial correction.

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

Section 1. Clause (1) of section 14, act of April 24, 1947 (P.L.100), known as the "Estates Act of 1947," is amended to read:

Section 14. Rules of Interpretation.—In the absence of a contrary intent appearing therein, conveyances shall be construed, as to real and personal estate, in accordance with the following rules.

(1) Meaning of "Heirs" and "Next of Kin," etc.; Time of Ascertaining Class. A conveyance of real or personal property, whether directly or in trust, to the conveyor's or another designated person's "heirs" or "next [or] of kin" or "relatives" or "family" or to "the persons thereunto entitled under the intestate laws," or to persons described by words of similar import, shall mean those persons, including the spouse, who would take under the intestate laws if such conveyor or other designated person were to die intestate at the time when such class is to be ascertained, a resident of the Commonwealth, and owning the property so conveyed: Provided, That the share of a spouse other than the spouse of the conveyor, shall not include the [ten thousand dollar] allowance under the intestate laws. The time when such class is to be ascertained shall be when the conveyance to the class is to take effect in enjoyment.


* * *

Section 2. This act shall take effect immediately.

APPROVED—The 24th day of February, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly
No. 24.

A handwritten signature in cursive script, appearing to read "Joseph P. Kelly".

Secretary of the Commonwealth.