

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 798
HOUSE BILL 1466

AN ACT TO REWRITE G.S. 28A-14-3 REGARDING NOTICE TO AND THE BARRING
OF CLAIMS OF CREDITORS OF DECEDENTS.

The General Assembly of North Carolina enacts:

Section 1. Section 1m. of Chapter 446 of the 1977 Session Laws is rewritten to read as follows:

"m. G.S. 28A-14-3 is rewritten to read as follows:

'§ 28A-14-3. Personal notice to creditors. — For a claim to be barred under the provisions of G.S. 28A-19-3, the personal representative or collector shall by certified or registered mail forward to the claimant a statement that the claim shall be barred unless presented in the time and manner set out in Article 19 of this Chapter. A claim not barred by G.S. 28A-19-3 because of the failure to mail the statement may be paid from any undistributed assets of the estate.

Nothing in this section shall be construed to require a personal representative to mail the statement; nor shall a personal representative be liable for failure to mail the statement. In an action brought on a claim that was not barred by G.S. 28A-19-3 because of the failure to mail the statement, the personal representative or collector shall not be chargeable for any assets that he may have paid in satisfaction of any debts, legacies, or distributive shares before such action was commenced; nor shall any costs be recovered in such action against the personal representative or collector."

Sec. 2. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 29th day of June, 1977.