

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 711
HOUSE BILL 1167

AN ACT SETTING A TIME LIMIT FOR FILING THE FINAL AFFIDAVIT FOR
ADMINISTRATION OF A SMALL ESTATE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 28A-25-3(a)(2) is amended by adding the following at the end: "This final affidavit shall be filed within 90 days of the date of filing of the qualifying affidavit provided for in G.S. 28A-25-1. If the heir or creditor cannot file the final affidavit within 90 days, he shall file a report with the clerk within that time period stating his reasons. Upon determining that the heir or creditor has good reason not to file the final affidavit within 90 days, the clerk may extend the time for filing up to one year from the date of filing the qualifying affidavit."

Sec. 2. G.S. 28A-25-4 is amended by adding a new sentence at the end to read: "In addition to or in lieu of filing this attachment, the clerk may require the heir to post a bond conditioned as provided in G.S. 28A-8-2."

Sec. 3. This act shall become effective October 1, 1983, and applies to estates of persons dying on and after that date.

In the General Assembly read three times and ratified, this the 8th day of July, 1983.