

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 645
SENATE BILL 598

AN ACT TO PROVIDE THAT CLAIMS AGAINST DECEDENTS' ESTATES MAY
BE PRESENTED BY REGISTERED OR CERTIFIED MAIL, RETURN RECEIPT
REQUESTED, OR BY DELIVERY TO THE CLERK OF COURT FOR FILING.

The General Assembly of North Carolina enacts:

Section 1. G.S. 28A-19-1(a) is amended by rewriting the same to read:

"(a) A claim against a decedent's estate must be in writing and state the amount or item claimed, or other relief sought, the basis for the claim, and the name and address of the claimant; and must be presented by one of the following methods:

- (1) By delivery in person or by mail to the personal representative, collector or Clerk of Superior Court. Such claim will be deemed to have been presented from the time of such delivery.
- (2) By mailing, registered or certified mail, return receipt requested, to the personal representative or collector at the address set out in the general notice to creditors. Such claim will be deemed to have been presented from the time when the return receipt is signed by the personal representative, collector, or his agent, or is refused by the personal representative, collector, or his agent.
- (3) By delivery to the clerk of court of the county in which the estate is pending, which notice shall be filed in the appropriate estate file and copy mailed first class by the clerk of superior court at the expense of the claimant to the personal representative, collector, or his agent. The claim will be deemed to have been presented from the time of delivery to the clerk of court."

Sec. 2. This act is effective upon ratification and applies to estates of decedents dying on or after the date of ratification.

In the General Assembly read three times and ratified, this the 8th day of July, 1985.