

CHAPTER 150
FORMERLY
HOUSE BILL NO. 154

AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO CREDITORS' CLAIMS AGAINST DECEDENTS' ESTATES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 2102, Title 12 of the Delaware Code by making deletions as shown by strikethrough and insertions as shown by underline as follows:

§ 2102. Limitations on claims against estate.

(a) All claims against a decedent's estate which arose before or at the death of the decedent, including claims of the State and any subdivision thereof, whether due or to become due, absolute or contingent, liquidated or unliquidated, founded on contract, tort or other legal basis, except debts of which notice is presumed pursuant to § 2103 of this title, if not barred earlier by other statute of limitations, are barred against the estate, the personal representative and the heirs and devisees of the decedent unless presented as provided in § 2104 of this title within 8 months of the decedent's death whether or not the notice referred to in § 2101 of this title has been given.

(b) All claims against a decedent's estate which arise ~~at or~~ after the death of the decedent, including claims of the State or any subdivision thereof, whether due or to become due, absolute or contingent, liquidated or unliquidated, founded on contract, tort or other legal basis, unless presented in accordance with § 2104 of this title, are barred against the estate, the personal representatives and the heirs and devisees of the decedent, as follows:

(1) A claim based on a contract with the personal representative, within 6 months after performance by the personal representative is due;

(2) Any other claim, within 6 months after it arises.

Approved August 30, 2017