

PLEASE NOTE: The Office of the Revisor of Statutes **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

**Public Law**  
124th Legislature  
First Regular Session

---

**Chapter 368**  
**H.P. 420 - L.D. 582**

**An Act To Amend the Statute of Limitations  
for Actions against the Estate of a Decedent**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 18-A MRSA §3-108, sub-§(a), ¶(2),** as enacted by PL 1983, c. 256, is amended to read:

(2). Appropriate probate, appointment or testacy proceedings may be maintained in relation to the estate of an absent, disappeared or missing person for whose estate a conservator has been appointed, at any time within 3 years after the conservator becomes able to establish the death of the protected person; and

**Sec. 2. 18-A MRSA §3-108, sub-§(a), ¶(3),** as amended by PL 2005, c. 683, Pt. C, §5, is further amended to read:

(3). A proceeding to contest an informally probated will and to secure appointment of the person with legal priority for appointment in the event the contest is successful may be commenced within the later of 12 months from the informal probate or 3 years from the decedent's death: ; and

**Sec. 3. 18-A MRSA §3-108, sub-§(a), ¶(4)** is enacted to read:

(4). Appropriate probate, appointment or testacy proceedings may be commenced in relation to a claim for personal injury made against the decedent by a person without actual notice of the death of the decedent at any time within 6 years after the cause of action accrues. If the proceedings are commenced more than 3 years after the decedent's death, any recovery is limited to applicable insurance.

Effective September 12, 2009