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REVISOR of STATUTES

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MEMORANDUM

To: Senate Committee on Judiciary
From: Office of Revisor of Statutes
Date: March 25, 2021
Subject: Bill Brief for HB 2125

House Bill 2125, as amended by House Committee, allows a copy of a will to be filed and admitted to probate and allows a will or copy of a will filed within six months after the death of the testator to be admitted to probate at any time.

The bill amends K.S.A. 59-618a. Subsection (a) is amended to provide that a copy of a decedent's will may be filed with the district court in the county where the decedent last resided along with an affidavit that complies with the section. The House Committee on Judiciary added subsection (b)(2) that provides an affidavit filed pursuant to this section on or after July 1, 2021, shall state whether the original will or a copy of such will is being filed with the court. Subsection (c) is amended to provide that the will or copy of the will that has been filed within six months after the death of the testator may be admitted to probate at any time after such filing subject to any other applicable legal defenses to such admission.