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MEMORANDUM

To: House Committee on Judiciary

From: Office of Revisor of Statutes

Date: January 17, 2023

Subject: Bill Brief on HB 2018

HB 2018 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. 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. The bill also requires an affidavit filed after July 1, 2023, to state whether the original will or a copy of the will is being filed with the court.