

## 2023 Kansas Statutes

**59-618a. Filing of certain wills or copies in court; affidavit; admission to probate.** (a) Any person possessing a decedent's will may file in the district court of the county of the decedent's last residence the decedent's will or a copy of such will and an affidavit that complies with subsection (b).

(b) (1) An affidavit filed pursuant to this section shall state:

- (A) The name, residence address and date and place of death of the decedent;
- (B) the names, addresses and relationships of all the decedent's heirs, legatees and devisees which are known to the affiant after a diligent search and inquiry;
- (C) the name and address of any trustee of any trust established under the will;
- (D) that the will is being filed with the district court for the purpose of preserving it for record in the event that probate proceedings are later required; and
- (E) that a copy of the affidavit and will has been mailed to each heir, legatee and devisee named in the affidavit.

(2) An affidavit filed pursuant to this section on or after July 1, 2023, shall state whether the original will or a copy of such will is being filed with the court.

(c) Any will or copy of a will filed pursuant to this section within a period of six months after the death of the testator may be admitted to probate after such six-month period.

**History:** L. 1977, ch. 196, § 1; L. 1982, ch. 235, § 1; L. 1984, ch. 147, § 12; L. 1985, ch. 191, § 10; L. 1996, ch. 234, § 14; L. 2010, ch. 19, § 1; L. 2016, ch. 50, § 1; L. 2023, ch. 77, § 2; July 1.