

SESSION OF 2012

SUPPLEMENTAL NOTE ON SENATE BILL NO. 293

As Recommended by Senate Committee on
Judiciary

Brief*

SB 293 would amend the statutes governing the filing of a decedent's will by repealing KSA 59-621 (requiring the person having custody of a will to deliver it to the court with jurisdiction) and incorporating a similar requirement in KSA 59-618a. KSA 59-618a would be further amended by allowing any interested person to file an affidavit to preserve the will for probate under the statute. Additionally, the bill would eliminate current filing restrictions and affidavit requirements related to the amount of property in, and demands against, the estate.

Background

SB 293 was introduced by the Senate Judiciary Committee at the request of the Kansas Judicial Council. The Committee considered a similar bill last year, 2011 SB 48, which was requested by the Kansas Bar Association. 2011 SB 48 was referred to the Kansas Judicial Council for study, and SB 293 was the product of the study.

In the Senate Judiciary Committee, a representative of the Kansas Judicial Council spoke in support of the bill. The Kansas Bar Association submitted written testimony supporting the bill. The Committee recommended the bill be passed.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The fiscal note on the bill states that the Division of the Budget is currently awaiting a response from agencies or organizations affected by the bill. The fiscal note will be completed and submitted once the Division receives the necessary information.