

59-2203. Venue. Proceedings for the probate of a will or for administration shall be had in the county of the residence of the decedent at the time of such decedent's death if the decedent owned an interest in real property in such county, or, if the decedent did not own an interest in real property in the decedent's county of residence at the time of such decedent's death, in such county of the residence of the decedent at the time of such decedent's death or in any county where the decedent owned an interest in real property; if the decedent was not a resident of this state, proceedings may be had in any county where such decedent left any estate to be administered as provided in K.S.A. 59-805, and amendments thereto. Proceedings for the administration of a partnership estate by the surviving partner shall be had in the county of the residence of the deceased partner at the time. If the deceased partner is a nonresident of the state the proceedings may be had in any county in which any of the partnership property is situated. Such proceedings first legally commenced shall extend to all of the property of the decedent or proposed conservatee in this state.

If the proceedings are instituted in more than one county, they shall be stayed except in the county where first commenced until final determination of venue. If the proper venue is determined to be in another county, the district court shall transmit the entire file to the proper county.

History: L. 1939, ch. 180, § 179; L. 1965, ch. 346, § 26; L. 1967, ch. 314, § 12; L. 1970, ch. 228, § 1; L. 1976, ch. 242, § 29; L. 1990, ch. 200, § 1; L. 1990, ch. 145, § 36; L. 2002, ch. 114, § 60; L. 2010, ch. 70, § 8; July 1.