

HOUSE BILL No. 2027

By Representatives Wasinger and Ballard

1-12

1 AN ACT concerning the Kansas probate code; relating to probate
2 procedures; persons arrested or charged with felonious killing of the
3 decedent; creating a procedure to prevent distribution of assets until
4 resolution of criminal proceedings; amending K.S.A. 59-513 and
5 repealing the existing section.

6
7 WHEREAS, The amendments made to K.S.A. 59-513 by this act shall
8 be known as Karen's law.

9 Now, therefore:

10 *Be it enacted by the Legislature of the State of Kansas:*

11 Section 1. K.S.A. 59-513 is hereby amended to read as follows: 59-
12 513. (a) No person convicted of feloniously killing, or procuring the
13 killing of, another person shall inherit or take by will, by intestate
14 succession, as a surviving joint tenant, *as the designated beneficiary of*
15 *real or personal property*, as a beneficiary under a trust or otherwise from
16 such other person any portion of the estate or property in which the
17 decedent had an interest.

18 (b) When any person kills or causes the killing of such person's
19 spouse, and then takes such person's own life, the estates and property of
20 both persons shall be disposed of as if their deaths were simultaneous
21 pursuant to the provisions of K.S.A. 58-708 to 58-718, inclusive, and
22 amendments thereto.

23 (c) (1) *The court may, upon its own motion or upon the written*
24 *request of any party, prohibit the sale, distribution, spending or use of an*
25 *asset or interest described in subsection (a), or a portion or proceeds*
26 *thereof, by a person who has been arrested for or charged with the*
27 *felonious killing, or procuring the killing of, the decedent.*

28 (2) *An order entered pursuant to this subsection may be granted ex*
29 *parte upon a showing of criminal charges filed against a person interested*
30 *in the estate.*

31 (3) (A) *An order entered pursuant to this subsection shall be in effect*
32 *until modified or terminated by the court.*

33 (B) *Upon the written request of a person subject to an order under*
34 *this subsection to modify or terminate such order, the court shall fix the*
35 *time and place for the hearing thereof. Notice of the time and place of the*
36 *hearing shall be given in such manner and to such persons as the court*

1 *shall direct.*

2 *(C) The court shall terminate such order if the court finds that any of*
3 *the following events relating to the arrest or charges that were the basis*
4 *for the order have occurred:*

5 *(i) Dismissal of all such charges;*

6 *(ii) acquittal as to all such charges;*

7 *(iii) conviction or other disposition ~~at or following trial~~; or*

8 *(iv) expungement of the arrest records by court order pursuant to*
9 *K.S.A. 2022 Supp. 22-2410, and amendments thereto.*

10 Sec. 2. K.S.A. 59-513 is hereby repealed.

11 Sec. 3. This act shall take effect and be in force from and after its
12 publication in the statute book.