

**SENATE BILL No. 321**

By Committee on Judiciary

1-12

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1 AN ACT concerning probate; relating to filing of wills; amending K.S.A.  
2 2015 Supp. 59-618a and repealing the existing section.

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

5 Section 1. K.S.A. 2015 Supp. 59-618a is hereby amended to read as  
6 follows: 59-618a. (a) Any person possessing a decedent's will may file in  
7 the district court of the county of the decedent's last residence the  
8 decedent's will and an affidavit which complies with subsection (b) ~~if the~~  
9 ~~decedent's probate estate contains no known real or personal property or~~  
10 ~~the value of the known real and personal property in the decedent's probate~~  
11 ~~estate is less than the total of all known demands enumerated in K.S.A. 59-~~  
12 ~~1301, and amendments thereto.~~

13 (b) An affidavit filed pursuant to this section shall state: (1) The  
14 name, residence address and date and place of death of the decedent; (2)  
15 the names, addresses and relationships of all the decedent's heirs, legatees  
16 and devisees which are known to the affiant after a diligent search and  
17 inquiry; (3) the name and address of any trustee of any trust established  
18 under the will; (4) ~~the property left by the decedent and its approximate~~  
19 ~~valuation; (5) the approximate amount and nature of any demands~~  
20 ~~enumerated in K.S.A. 59-1301, and amendments thereto, which were~~  
21 ~~outstanding against the decedent's estate upon the decedent's death; (6) that~~  
22 ~~the will is being filed with the district court for the purpose of preserving it~~  
23 ~~for record in the event that probate proceedings are later required; and (7)~~  
24 (5) that a copy of the affidavit and will has been mailed to each heir,  
25 legatee and devisee named in the affidavit.

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

29 Sec. 2. K.S.A. 2015 Supp. 59-618a is hereby repealed.

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