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Senate District B

SB 90 - Sponsor Statement

ELECTRONIC WILLS

“An Act relating to wills and the probate of wills; relating to the making, witnessing, self-proving, revocation, and probate of wills by electronic means; relating to the choice of law for execution of wills; relating to the certification of copies of wills; relating to the establishment of the validity of a will before death; and providing for an effective date.”

In Alaska, all wills except handwritten wills must be executed in-person with at least two witnesses present. Current state probate legislation does not account for the remote signing and witnessing of wills. This can make it difficult for the elderly or those with little resources to plan their estate. The COVID-19 pandemic has exacerbated circumstances surrounding traditional estate planning. The public closure of the state’s Pioneer Homes and assisted living homes has isolated many seniors from these services. Additional legislation is required to bring tools utilized throughout the pandemic, such as video conferencing, to the estate planning process.

SB 90 aims to fill the gap in probate legislation by allowing the electronic signing and witnessing of wills. This bill enables individuals to draft and sign a will on a computer, tablet, or other electronic device. Witnesses can also observe the execution of a will through a video and audio link and do not need to be physically present. These reforms and modernizations will bring additional accessibility and connectivity to a state that has many small rural communities out of the reach of the road system.

As Alaska moves towards the future, so should our will and probate process.

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