



# Representative Ivy Spohnholz

## House Health & Social Services Committee Co-Chair

*Serving House District 16: College Gate, Russian Jack, Nunaka Valley, & Reflection Lake  
Committee Member: Resources, Energy, & Legislative Budget & Audit*

### Sponsor Statement

#### House Bill 110

#### Nonprobate Vehicle Transfer Upon Death

*"An Act relating to the transfer of the title to a vehicle, including certain manufactured homes and trailers, on the death of the owner; allowing a person to act for the surviving spouse of a decedent to make a demand of the personal representative of the decedent's estate related to enforcing a liability against real property or an interest in real property transferred at death by a transfer on death deed; and providing for an effective date."*

The process of probate in the state of Alaska can take anywhere from six months to several years<sup>1</sup>, and can cost family members and beneficiaries thousands, potentially tens of thousands of dollars in legal and filing fees<sup>2</sup>. While the State Legislature has already taken great strides to reduce the costs of probate, there is still much room for improvement.

House Bill 110 continues in spirit with the Uniform Real Property Transfer on Death Act (URPTDA), which unanimously passed both the House and Senate in 2014. URPTDA created the Transfer on Death (TOD) deed, which allows for nonprobate transfers of real property. TOD deeds allow Alaskans to select a beneficiary who will receive the property at their passing, and removes that property from the process of probate.

In 2016, the late Representative Max Gruenberg introduced legislation similar to HB110 that created a mechanism for nonprobate transfers of vehicles. HB110 is nearly identical, although it expands the concept to apply both to vehicles and boats that are issued titles through the state. Currently, 11 other states have TOD titles for vehicles, and several have TOD titles for boats.

HB110 continues the ongoing effort to reduce the costs of probate for Alaskans and creates a streamlined service through the DMV through which they can designate beneficiaries for both cars and boats through a simple form. The TOD titles will be available for all boats and vehicles for which the DMV provides titles, which also includes some mobile manufactured homes under AS 45.29.102(66). The program will be self-sustaining through fees.

At no cost to the state, HB110 will allow countless Alaskans to pass down boats, vehicles, and some manufactured homes to beneficiaries with more ease, and will help simplify and streamline the potentially complicated, costly, and painful process of probate following the death of a loved one.

1. *Alaska Court System Self-Help Services: Probate.* <http://www.courts.alaska.gov/shc/probate/probate-steps.htm>
2. *"How Much is that Probate in the Window?" The Senior Voice:* <https://www.seniorvoicealaska.com/story/2018/11/01/finance-and-legal/how-much-is-that-probate-in-the-window/1839.html>

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