

Fiscal Note

State of Alaska
2021 Legislative Session

Bill Version:	CSSB 90(JUD)
Fiscal Note Number:	1
(S) Publish Date:	3/19/2021

Identifier: SB090-LAW-CIV-CFB-2-26-21
 Title: ELECTRONIC WILLS
 Sponsor: MYERS
 Requester: (S) Judiciary

Department: Department of Law
 Appropriation: Civil Division
 Allocation: Commercial and Fair Business
 OMB Component Number: 2717

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2022	Included in	Out-Year Cost Estimates					
	Appropriation Requested	Governor's FY2022 Request	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
OPERATING EXPENDITURES	FY 2022	FY 2022	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimated SUPPLEMENTAL (FY2021) cost: 0.0 *(separate supplemental appropriation required)*

Estimated CAPITAL (FY2022) cost: 0.0 *(separate capital appropriation required)*

Does the bill create or modify a new fund or account? No
(Supplemental/Capital/New Fund - discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
 If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version/comments:

Not applicable. Initial version.

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Division:	Administrative Services Division	Date:	02/26/2021
Approved By:	Amber LeBlanc, Administrative Services Director	Date:	02/26/21
Agency:	Office of Management and Budget		

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2021 LEGISLATIVE SESSION**Analysis**

This bill would amend the definition of a will to include an electronic will to mean a will where the text, the signature of the testator, and the signature of a witness are provided by electronic means. The bill provides a definition of “electronic presence” that applies to two or more individuals in different locations, to communicate by use of electronic means during the actual time that they are in engaging in the activities.

An electronic will would be considered valid and admissible to probate in the state if the will is readable text, signed by the testator, and attested to under the laws of the state and the local jurisdiction where the testator was physically present at the time of signing. At the time of signing, individual witnesses and the official notary could be present physically or electronically to witness the testator’s acknowledgement of the will and administer oaths. Similarly, a will may be revoked in the physical or electronic presence of the testator and may be done by deletion of the electronic will. This bill would also add a new section to provide that a person may also create a certified paper copy of an electronic will that can be used in a probate application.

These matters are not typically handled by the Department of Law, but rather by private attorneys. The Department of Law does not anticipate any fiscal impact if this bill becomes law.