

*June*

1 IN THE SENATE

BY SENATOR

*Stepovich*

2 SENATE BILL NO. 85

3 IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4 TWENTY-FIRST SESSION

5 A BILL

6 For an Act entitled: <sup>*in Act*</sup> ~~To~~ amend Section 22-3-1, Alaska Compiled  
7 Laws Annotated, 1949, relating to  
8 manner of executing conveyances: Joinder  
9 of husband and wife; ~~and declaring an~~  
10 emergency."

11 BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

12 Section 1. That Section 22-3-1, Alaska Compiled Laws  
13 Annotated 1949, is hereby amended to read as follows:

14 § 22-3-1. Manner of executing conveyances: Joinder  
15 of husband and wife. A conveyance of lands, or of any  
16 estate or interest therein, may be made by deed, signed  
17 and sealed by the person from whom the estate or interest  
18 is intended to pass, being of lawful age, or by his lawful  
19 agent or attorney, and acknowledged or proved, and recorded  
20 as directed in this chapter, without any other act or  
21 ceremony whatever, Provided, however, that in all deeds  
22 or conveyances of the family home or homestead made by a  
23 married man, or a married woman, the husband and wife shall  
24 join in such deeds or conveyances, (.) subject to the  
25 following provisions:

26 Said requirement that a spouse of a married person  
27 join in any deed or conveyance of the family home or home-  
28 stead shall not create a proprietary right, title or in-  
29 terest in such spouse not otherwise vested in such spouse.

1                    Failure of such spouse to join in such deed or con-  
2 veyance shall not affect the validity thereof, unless such  
3 spouse appears on the title, and such deed or conveyance  
4 shall be sufficient in law to convey the legal title to  
5 the premises therein described from the grantor to the  
6 grantee, Provided, however, such deed or conveyance is  
7 otherwise-sufficient, and Provided further that no suit  
8 has been filed in a court of record in the judicial divi-  
9 sion in which the real estate affected by such deed or  
10 conveyance is located within one year from the date of  
11 said deed or conveyance by the spouse failing to join in  
12 such deed or conveyance to have said deed or conveyance  
13 set aside, altered, or otherwise changed, or reformed,

14                    Section 2. An emergency is hereby declared to exist, and  
15 this Act shall be in full force and effect from and after the  
16 date of its passage and approval.

At end of Line 10, Page 2 add the words: "recording of"

At end of Line 13, page 2, <sup>change the period to comma and</sup> add the words: "or the spouse whose interest in the property is affected shall not have filed within one year in the office of the recorder for the recording district where the property is situated, a notice of his or her interest in the property." Delete the emergency clause at the end.