

1 IN THE SENATE

BY B. PHILLIPS

2 SENATE BILL NO. 497

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to conveyances; and providing for
7 an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:::

9 * Section 1. AS 34.15.110 is amended to read:

10 Sec. 34.15.110. CONVEYANCES CONSTRUED AS CREATING TENANCY IN
11 COMMON. (a) A conveyance or devise of land or an interest in land
12 made to two or more persons, other than to executors and trustees,
13 as such, shall be construed to create a tenancy in common in the
14 estate, except as provided in (b) of this section [UNLESS IT IS
15 EXPRESSLY DECLARED IN THE CONVEYANCE OR DEVISE THAT THE GRANTEEES OR
16 DEVISEES TAKE THE LANDS AS JOINT TENANTS].

17 (b) A husband and wife who acquire title in real property shall
18 hold the estate as tenants by the entirety, unless it is expressly
19 declared otherwise in the conveyance or devise. The conveyance shall
20 recite the marital status of the parties acquiring title to the real
21 property.

22 * Sec. 2. AS 34.15.130 is amended to read:

23 Sec. 34.15.130. JOINT TENANCY ABOLISHED. Joint tenancy, with
24 the exception of interests in personalty and tenancy by the entirety,
25 is abolished. Except as provided in sec. 120 of this chapter, persons
26 [PERSONS] having an undivided interest in real property are considered
27 tenants in common.

28 * Sec. 3. This Act takes effect on July 1, 1970.
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