

HB

2



Official Business

Alaska State Legislature

House of Representatives

Committee on Rules

P. O. Box V
Juneau, Alaska 99811

Phone:
(907) 465-3764
465-3765

10:00 a.m. Floor Session

"10th day"

HOUSE CALENDAR FOR WEDNESDAY, JANUARY 28th, 1987

HB 2 - "An Act providing for the adoption of the Uniform
Simultaneous Death Act."
(by Representative Gruenberg)

CITATIONS

*HONORING:

*Robert B. Atwood - by Reps. Boucher, Barnes, Collins, Donley
*Dimond Lynx Volleyball Champions - by Reps. Hanley, Donley
*Representative Mike Miller - by Reps. Ulmer, Hudson,
Grussendorf, Navarre, Pourchot, Koponen, Gruenberg, Goll, Davis,
Sund, Cotten; Sen. Duncan

IN MEMORIAM:

*Hazel Jaeger MacKinnon - by Reps. Sund, Hudson, Ulmer, Cotten,
Taylor; Senator Jones, Duncan
*Henry F. Warner - by Sens. Bennett, Fahrenkamp, Sturgulewski

HOUSE COMMITTEE REPORT

(7)

Date referred: 1/19/87

FURTHER REFERRALS:

DATE: 1/27/87

The Judiciary Committee has considered HB 2
"An Act providing for the adoption of the Uniform Simultaneous Death Act."

RECOMMENDS:

- replace with _____ the same title
- attached amendment(s) a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

ADOPTS: _____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact same as previous fiscal note published _____
- zero fiscal note same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

SIGNING OTHER RECOMMENDATIONS:

[Signature]

Chairman's signature

State of Alaska

House Majority Leader

COMMITTEES

HOUSE HEALTH, EDUCATION
AND SOCIAL SERVICES
HOUSE JUDICIARY
HOUSE RULES



Representative Max F. Gruenberg, Jr.
District 11
Spenard, Upper Midtown Anchorage

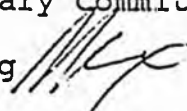
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3718
465-4968/4986

914 CLAY COURT
ANCHORAGE, ALASKA 99503
(907) 276-6844

MEMORANDUM

DATE: January 23, 1987

TO: Members of the House Judiciary Committee

FROM: Representative Max Gruenberg 

RE: HB 2, An Act providing for the adoption of the
Uniform Simultaneous Death Act

The Uniform Simultaneous Death Act has been adopted in forty-eight states. Only the State of Louisiana has failed to adopt it.

Alaska adopted it but repealed it by mistake when it adopted the Uniform Probate Code.

The Uniform Simultaneous Death Act provides for each person's estate to be settled as though that person had survived the others in a case of simultaneous deaths. This avoids costly court disputes to establish the sequence of death when there is not enough evidence to determine who, in fact, died first.

STATE OF ALASKA
THE LEGISLATURE

POUCHY STATE CAPITOL
JUNEAU ALASKA 99801
907 465 3800

LEGISLATIVE AFFAIRS AGENCY

M E M O R A N D U M

January 19, 1987

SUBJECT: HB 2 - Uniform Simultaneous Death Act

TO: Representative John Sund, Chair
House Judiciary Committee

FROM: Michael F. Ford *M.F.*
Legislative Counsel

The following is a section by section analysis of HB 2:

Section 1 Provides that certain general rules of evidence in determining death and status are applicable in proceedings under the Uniform Simultaneous Death Act, unless specifically displaced.

Section 2

13.43.010 - States the general rule, that in cases of simultaneous death the property of each person shall be disposed of as if that person had survived. This is a legal presumption that is simple, and avoids the difficulty of proving survivorship.

13.43.020 - Applies the same presumption of survivorship to a beneficiary or beneficiaries in simultaneous death situations.

13.43.030 - Provides for distribution of property held by joint tenants or tenants by the entirety in simultaneous death cases.

13.43.040 - Provides for distribution of community property in cases of simultaneous death of a husband and wife.

13.43.050 - Subsection (a) creates a conclusive presumption that when an insured and beneficiary die simultaneously, proceeds shall be distributed as if the insured had survived. This is presumed to be the intention of the insured, but the insured would be able to provide otherwise in the contract

of insurance, if it does not. Subsection (b) provides that when insurance is community property and an alternative beneficiary is not selected, proceeds are distributed as community property under 13.43.040.

13.43.060 - Allows a person to provide for a different kind of distribution of property than is provided in this chapter.

13.43.070 - Uniformity provision.

13.43.080 - Citation section.

Section 3 - This Act will not apply to distribution of property of those persons dying before the effective date of the Act.

MFF:mkr
M8/023

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

No. 1

REQUEST: _____

Bill Version: HB 2
Publish Date: HOUSE 1/28/87

Revision Date: 1/24/87
Title: An Act providing for the adoption
of the Uniform Simultaneous Death Act
Sponsor: Gruenberg, et al
Requestor: Rep. Gruenberg

Agency Affected: None
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact.

Prepared by: John Hartle, JH Committee Aide,
Division: House Judiciary Committee

Phone: 465-4990
Date: 1/24/87

Approved by Commissioner: Rep. John Sund, Chair
Agency: House Judiciary Committee

Date: 1/24/87

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary

CONTENTS OF HB 2 COMMITTEE FILE

1. HB 2
2. Max Memo
3. '87 sectional analysis
4. '87 zero fiscal note
5. List of states that have adopted the Uniform Simultaneous Death Act and Prefatory note
6. Bill history of HB 408 with Journal pages for House Judiciary. Committee vote, House floor vote and Senate Judiciary Committee vote
7. House Judiciary Committee minutes referencing the bill 10/25/85 and 1/17/86
8. Senate Judiciary Committee minutes referencing the bill 4/15/86 and 5/9/86
9. Letter from Anchorage Estate Planning Council
10. Letter from Alaska Bar Association Probate section
11. Letter from Richard S. Thawtes, Alaska Bar Probate & Tax section



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State of Alaska

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COMMITTEES

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LEGISLATIVE AFFAIRS AGENCY

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Representative .nd
January 19, 1987
Page 2

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MFF:mkr
M8/023

UNIFORM SIMULTANEOUS DEATH ACT

Table of Jurisdictions Wherein Act Has Been Adopted

Jurisdiction	Laws	Effective Date	Statutory Citation
Alabama	1949, p. 852	9-7-1949	Code 1975, §§ 43-7-1 to 43-7-3.
Arizona	1959, c. 77	6-20-1959	A.R.S. §§ 14-2804 to 14-2810.
Arkansas	1941, Act 15	1-30-1941*	Ark.Stats. §§ 61-124 to 61-130.
California	1945, p. 1885	9-15-1945	West's Ann.Cal.Prob.Code, §§ 296 to 296.8.
Colorado	1967, p. 104	3-14-1967	C.R.S.1973, 15-11-613.
Connecticut	1943, c. 266, p. 272	10-1-1943	C.G.S.A. § 45-287.
Delaware	1945, c. 234	4-18-1945*	12 Del.C. §§ 701 to 707.
Dist. of Columbia	1965, 79 Stat. 700	1-1-1966	D.C.Code 1981, §§ 19-501 to 19-506.
Florida	1941, c. 20884	6-12-1941	West's F.S.A. § 732.601.
Georgia	1966, p. 606	7-1-1966	O.C.G.A. §§ 53-11-1 to 53-11-a.
Hawaii	1941, Act 74	4-22-1941	HRS §§ 534-1 to 534-5.
Illino	1943, c. 83	2-23-1943*	I.C. § 15-2-613.
Illinois	1941, vol. 1, p. 6	7-16-1941	S.H.A. ch. 110½, §§ 3-1, 3-2.
Indiana	1941, c. 49	2-24-1941*	West's A.I.C. 29-2-14-1 to 29-2-14-8.
Iowa	1963, c. 326	1-1-1964	I.C.A. §§ 633.523 to 633.528.
Kansas	1947, c. 239	6-30-1947*	K.S.A. 58-701 to 58-707.
Kentucky	1942, c. 79	3-5-1942	KRS 397.010 to 397.080.
Maine	1941, c. 111	3-29-1941	18-A-M.R.S.A. § 2-805.
Maryland	1941, c. 191	6-1-1941	Code, Courts and Judicial Proceedings, §§ 10-801 to 10-807.
Massachusetts	1941, c. 549	7-29-1941	M.G.L.A. c. 190A, §§ 1 to 8.
Michigan	1941, No. 73	1-10-1942	M.C.L.A. §§ 720.101 to 720.104.
Minnesota	1943, c. 248	4-2-1943*	M.S.A. § 525.90.
Mississippi	1956, c. 214	7-1-1956	Code 1972, §§ 91-3-1 to 91-3-15.
Missouri	1947, Vol. 1, p. 13	9-10-1947	V.A.M.S. §§ 471.010 to 471.050.
Nebraska	1947, c. 112	3-8-1947	R.R.S.1943, §§ 30-121 to 30-128.
Nevada	1949, c. 44	3-9-1949*	N.R.S. 135.010 to 135.090.
New Hampshire	1941, c. 55	4-8-1941	RSA 563:1 to 563:9.
New Jersey	1947, c. 384	7-3-1947	N.J.S.A. 38:6-1 to 38:6-7.
New Mexico	1959, c. 172	3-31-1959	NMSA 1978, §§ 45-8-1 to 45-8-8.
New York	1966, c. 952	9-1-1967	McKinney's EPTL 2-1.6.
North Carolina	1947, c. 1016	4-5-1947	G.S. §§ 28A-24-1 to 28A-24-7.
North Dakota	1943, c. 211	3-17-1943	NDCC 31-12-01 to 31-12-06.
Oklahoma	1959, c. 385	10-2-1959	58 Okl.St. Ann. §§ 1001 to 1008.
Oregon	1947, c. 555	4-21-1947	ORS 112.575 to 112.645.
Pennsylvania	1972, No. 164	7-1-1972	20 Pa.C.S.A. §§ 8501 to 8505.
Rhode Island	1947, c. 1871	4-28-1947	Gen.Laws 1956, §§ 33-2-1 to 33-2-9.
South Carolina	1948, p. 1753	4-3-1948	Code 1976, §§ 21-9-10 to 21-9-80.
South Dakota	1941, c. 332	3-4-1941	SDCL 29-8-1 to 29-8-8.
Tennessee	1941, c. 59	2-10-1941	T.C.A. §§ 31-501 to 31-508.
Texas	1955, c. 55	1-1-1956	V.A.T.S.Probate Code, § 47.
Utah	1953, c. 78	5-12-1953	U.C.A.1953, 75-2-1001 to 75-2-1038.
Vermont	1941, No. 41	3-21-1941	14 V.S.A. §§ 621 to 627.
Virgin Islands	1957, c. 3	9-1-1957	15 V.I.C. § 98.
Virginia	1942, c. 63	2-25-1942	Code 1950, §§ 64.1-27 to 64.1-104.
Washington	1943, c. 113	3-16-1943	West's RCWA 11.05.010 to 11.05.910.
West Virginia	1953, c. 66	2-18-1953	Code, 42-5-1 to 42-5-10.
Wisconsin	1941, c. 234	6-25-1941	W.S.A. 351.55.
Wyoming	1941, c. 34	2-22-1941	W.S.1977, §§ 2-13-101 to 2-13-107.

* Date of approval.

SIMULTANEOUS DEATH

Historical Note

The Uniform Simultaneous Death Act was approved by the National Conference of Commissioners on Uniform State Laws, and the American Bar Association, in 1940. The Act was subsequently amended in 1953 and similarly approved.

PREFATORY NOTE

After more than five years study a Uniform Simultaneous Death Act has been approved by the National Conference of Commissioners on Uniform State Laws and recommended to the various legislatures for adoption. Two considerations justify the hope that the Act which is presented herewith will be received favorably by the legislative bodies of the various States. It may be a sad commentary, but the pace of modern living with its multiple forms of transportation has caused the instances of simultaneous death to occur with much greater frequency than in the past. More and more therefore courts will be called upon to administer the estates of persons who have died under circumstances that there is no evidence of survivorship and it is desirable to have a workable and uniform rule to apply in such instances. The second consideration which should recommend this Act to the various legislative bodies is the unsatisfactory variety of methods that have been devised either as a result of jurisprudence or the result of legislation to administer this troublesome legal situation. Some States have set arbitrary presumptions which are employed by the courts to determine the devolution of property. In other States there is the "common law rule" which indulges no presumption one way or the other and leaves the matter to the respective claimants to prove survivorship. Both situations seem to be unrealistic. Prescribed presumptions frequently ignore the facts of life. For instance in some States it is presumed (conclusively) that an adult in good health survives a minor child or infant. If the minor happened to be the son or daughter of the adult it is more reasonable to suppose that the adult would have used every expedient to protect the child even at the sacrifice of his own life. In those States where there is no presumption whatever indulged courts are faced with an anachronism. The reason for the difficulty of administration is that it is impossible to know which of the persons has survived. Yet the "common law rule" in effect says that the person who claims by virtue of an alleged survivorship must prove the survivorship which is tantamount to demanding the impossible.

The theory of the present Act makes no effort whatever to resolve the un-resolvable. The formula is a simple one and easily applied. The theory of the present Act is that as to the property of each person he is presumed to be the survivor and it is administered accordingly.

Perhaps a word ought to be said with respect to Section four which deals with contracts of insurance. The Act provides that when the insured and the beneficiary in a policy of life or accident insurance have died and there is no sufficient evidence that they have died otherwise

SIMULTANEOUS DEATH

than simultaneously the proceeds of the policy shall be distributed as if the insured had survived. Obviously this section creates a conclusive presumption. The special circumstances seem to justify the creation of a presumption relative to the survivorship of the insured or beneficiary. By providing that the insured presumably survived it is thought that the result will most nearly approximate the intention of the real party in interest. If it does not, he is at liberty to provide otherwise in the contract of insurance.

General Statutory Notes

Alaska. L.1972, c. 71, repealed former title 13 of the Alaska Statutes and enacted a new title 13 in lieu thereof. While the new title 13 contains provisions relating to simultaneous deaths (see A.S. §§ 13.06.035 and 13.11.220), they are not in substantial conformity with the uniform act. Accordingly, Alaska has been deleted from the table of jurisdictions wherein the uniform act has been adopted.

California. Adds sections as follows:

"§ 296.41. Proceeding to determine simultaneous death; petition; notice of hearing; service. When it is claimed that, in accordance with the provisions of this chapter, any persons have died under circumstances where there is no sufficient evidence that they have died otherwise than simultaneously, the executor or administrator of any such person, or any other person interested in the estate of any such person, may file a petition, in the estate proceeding where he received his appointment, or in which he claims an interest, seeking to have it determined that such persons died under circumstances where there is no sufficient evidence that they died otherwise than simultaneously. The clerk shall set the petition for hearing by the court and cause notice thereof to be personally served at least 10 days before the date of the hearing upon the executor or administrator of each other person claimed to have so died. If the representative of any such other person is also the petitioner then, in lieu of personal service upon him, such notice shall be mailed to the heirs and devisees of such other person, so far as they are known to

the petitioner, at least 10 days before the date of hearing."

"§ 296.42. Proceeding by executor or administrator to determine simultaneous death; hearing; determination of order of death; jurisdiction. At the time appointed, the court, upon proof that due notice of the hearing has been given, shall proceed to hear the petition and any objections thereto that may have been filed or presented; and if, after a full hearing, the court is satisfied that the named persons are dead and that there is no sufficient evidence that they died other than simultaneously, it shall make an order to that effect. If the court is satisfied that the named persons are dead and that they did not die simultaneously then the court shall make an order setting forth the order in which such persons died. Such order when it becomes final shall be a binding determination of the facts therein set forth and conclusive as against the personal representatives of the deceased persons named in the order and against all persons claiming by, through or under any such deceased persons. The probate court which first acquires jurisdiction under Section 296.41 shall have exclusive jurisdiction to determine, by its order, that there is no sufficient evidence that the named persons died otherwise than simultaneously or to determine the order in which the named persons died."

Florida. L.1974, c. 74-106, repealed West's F.S.A. § 736.05, which formerly constituted the Uniform Simultaneous Death Act, and reenacted said Uniform Act as part of the Florida Probate Code in West's F.S.A. § 732.601.

STATE OF ALASKA THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907-465-3300

LEGISLATIVE AFFAIRS AGENCY LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

House Judiciary

10-25-85

1-17-86

Senate Judiciary

4-15-86

5-9-86



Anchorage Estate Planning Council

March 19, 1986

Representative Max F. Gruenberg, Jr.
1024 West Sixth Avenue, Suite 201D
Anchorage, Alaska 99501

Dear Representative Gruenberg:

The Estate Planning Council of Anchorage is an affiliate of a national organization comprised of certified public accountants, attorneys, certified life underwriters and trust officers who specialize in estate planning.

A number of bills which impact the estate planning process have been submitted this session. Consequently, the Estate Planning Council has created a committee to evaluate and comment upon those bills.

I hope you will find the attached comments enlightening as these bills come up for consideration.

If you desire further information, please feel free to contact me.

Yours very truly,

Kathryn A. Black

Kathryn A. Black,
Estate Planning Council President
1127 West Seventh Avenue
Anchorage, Alaska 99501

KAB/jy

HOUSE BILL 408

An Act providing for the adoption of the Uniform Simultaneous Death Act.

RECOMMENDATION:

The Estate Planning Council recommends adoption of this Bill in its current form.



ALASKA BAR ASSOCIATION

P.O. BOX 279, ANCHORAGE, ALASKA 99510. (907) 272-7469

PROBATE LAW SECTION

March 11, 1985

Representative Max Gruenberg
Pouch V
Juneau, AK 99811

RE: Prospective Amendments to Uniform Probate
Code deemed desirable by Probate Law Section
and Taxation Law Section of Alaska Bar
Association

Dear Mr. Gruenberg:

In response to your letter to the Alaska Bar Association, I have talked with David Shaftel and Rodney Kleedehn of the Alaska Bar Association's Taxation Law Section and with members of the Probate Law Section and offer the following as amendments to the Uniform Probate Code as enacted in Alaska.

Please note that the provisions under the letter from Mr. Goerig referring to the Uniform Simultaneous Death Act were essentially to be part of the Uniform Probate Code but were inadvertently eliminated when the Code was adopted in 1973. Alaska happens to be one of the few remaining states which does not have a specific provision in this regard.

Trigg Davis has advised me he would be willing to meet with you regarding these modifications to the statute as well as the proposed modification under the Taxation Law Section's letterhead as proposed by Dave Shaftel and Rodney Kleedehn.

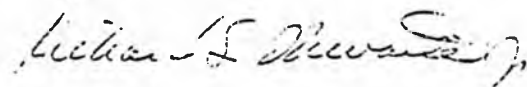
Both committees are currently working on more extensive proposals; however, those proposals will probably be pursued through the Code Revision Commission some time this Fall. These provisions were considered by all to be relatively non-controversial and fairly straightforward.

Mr. Max Gruenberg
March 11, 1985
Page 2

Your assistance in enacting these statutes will do much to bring Alaska residents up to par with the residents of other states in the area of estate and gift tax planning.

Your cooperation in this regard is greatly appreciated. If I can be of any assistance, please feel free to contact me.

Sincerely,



Richard S. Thwaites, Jr.

RST:lj

Enclosures

cc: David G. Shaftel, Esq.
G. Rodney Kleeöohn, Esq.
George E. Goerig, Jr., Esq.
Trigg T. Davis, Esq.

LAW OFFICES
DAVIS & GOERIG

A PROFESSIONAL CORPORATION
405 WEST 36TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99503

TRIGG T. DAVIS
GEORGE E. GOERIG, JR.

TELEPHONE 561-4420
AREA CODE 907

February 25, 1985

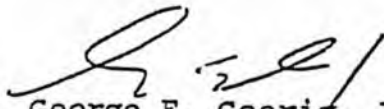
Richard S. Thwaites, Jr.
Chairman of the Alaska Bar Association
Probate Law Section
1031 West 4th Ave., Suite 500
Anchorage, AK 99501

Re: Introduction of the Uniform Simultaneous
Death Act in Alaska

Dear Dick:

Enclosed is a proposed statute relating to the Uniform Simultaneous Death Act. The statute provides for the disposition of non-probate property where there is no sufficient evidence that persons have died otherwise than simultaneously. I have left the provision regarding community property in the act because of the new statute which allows for community property status here in Alaska. The taxation law section supports enactment of this proposed statute.

Very truly yours,


George E. Goerig, Jr.
Attorney At Law

GEG/dvs

Enclosure


State of Alaska

House Majority Leader

COMMITTEES

HOUSE HEALTH, EDUCATION
AND SOCIAL SERVICES
HOUSE JUDICIARY
HOUSE RULES

*File needs to be
in shape for me to
tell what this is on
floor*



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February 26, 1987

The Honorable Jay Kerttula
Chairman
Senate Judiciary Committee

RE: HB 2, Uniform Simultaneous Death Act

Dear Mr. Chairman:

As per my testimony at your committee hearing on the above bill Thursday, February 26, 1987, enclosed please find items I would request be part of the official legislative history. This includes the entire bill history on HB 408, the identical bill in the Fourteenth Legislature, the Journal pages with all committee reports in the House and Senate and the Floor vote in the House plus the House Judiciary Committee minutes of October 25, 1985 and January 17, 1986 and the Senate Judiciary Committee minutes dated April 15 and May 9, 1986. Included also is a letter from the Anchorage Estate Planning Council and letters from the Alaska Bar Association Probate Section plus Richard S. Thwaites, Esquire.

Many thanks for including this in the official bill history.

Cordially,



Max F. Gruenberg, Jr.

MFG/hma
Encl

Both file
Hadson
FEB 26 1987
5m
(2)

HOUSE CALENDAR: 1-22-86

BILL HB0408
 PAGE 01159
 DATE 04/29/85
 CHAMBER HOUSE
 TEXT HOUSE BILL NO. 408 by Gruenberg, Taylor, Clocksin, M.M. Miller and Pettyjohn, entitled:
 "An Act providing for the adoption of
 the Uniform Simultaneous Death Act."
 was read the first time and referred to the Judiciary Committee.

BILL HB0408
 PAGE 01809
 DATE 01/16/86
 CHAMBER HOUSE
 TEXT Representative Sund added his name as co-sponsor to HOUSE BILL NO. 408 (providing for the adoption of the Uniform Simultaneous Death Act).

BILL HB0408
 PAGE 01828
 DATE 01/20/86
 CHAMBER HOUSE
 TEXT The Judiciary Committee has considered HOUSE BILL NO. 408 (providing for the adoption of the Uniform Simultaneous Death Act), recommends it be replaced with COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 408 (Judiciary) (same title) and reports it back as follows: M.M. Miller (Chairman), Sund, Gruenberg, Taylor, Pettyjohn, Phillips and Clocksin recommend do pass. A zero fiscal note was attached.

HB 408 was referred to the Rules Committee for placement on the calendar.

Uniform
 Simultaneous
 Death Act

HOUSE BILL NO. 408, by Reps. Gruenberg, Taylor, Clocksin, M. M. Miller and Pettyjohn. Amends Title 13 (Decedents, Estates, Guardianships and Trusts) by adding the Uniform Simultaneous Death Act as a new chapter. The Act bill addresses sufficient evidence of survivorship, survival of beneficiaries, joint tenants or tenants by the entirety, community property, insurance policies, inapplicable sections if decedent provides otherwise, and uniformity of interpretation. Does not provide effective date (takes effect 90 days after Governor signs bill).

Introduced April 29 and referred to Judiciary.

COMMITTEE REPORT

HOUSE

1/20
P.L.

(7)

FURTHER:

4/29/85

Date: _____

The Committee on JUDICIARY has had HB 408

"An Act providing for the adoption of the Uniform Simultaneous Death Act."

under consideration and recommends:

do pass do not pass

do pass with attached amendments(s)

replace with CS for HB 408 (Jud) same title new title

and recommends DO PASS

AND attaches a "Letter of Intent" New Fiscal Note

reports it back without recommendation Zero Fiscal Note Attached

referred to the _____ Committee

MEMBERS SIGNING
DO PASS

MEMBERS HAVING
OTHER RECOMMENDATIONS:

[Handwritten Signature]
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CHAIRMAN