

**LDIR#225
PROBATE
CODE
1961
REVISION**

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SB # 4

1 been the intention of the testator.

2 Sec. 1.06. LIMITATION ON TESTAMENTARY POWER. If the will
3 of a testator gives, devises, or bequeaths the testator's estate,
4 or any part thereof, to a religious purpose, or to persons, muni-
5 cipal corporations, corporations, or associations in trust for a
6 religious purpose, whether such trust appears on the face of the
7 instrument making such gift, devise, or bequest or not, the will
8 as to such gift, devise, or bequest is valid unless it was exe-
9 cuted¹ within six months of the death of the testator, and ²in fear
10 of imminent death.

11 Sec. 1.07. NUNCUPATIVE WILL. a. A nuncupative will may be
12 made only by a person in imminent peril of death, ~~whether from~~
13 ~~illness or otherwise.~~ It is valid only if the testator died as a
14 result of the impending peril and the will is

15 (1) declared to be his will by the testator before two
16 disinterested witnesses;

17 (2) reduced to writing by or under the direction of one
18 ^{Safe guards} of the witnesses within 30 days after the declaration; and

19 (3) proved within six months after the speaking of the
20 testamentary words.

21 b. The nuncupative will may dispose of ^{property of} an aggre-
22 ~~gate value not exceeding \$10,000.~~

23 Part 2. Revocation

24 Sec. 1.21. REVOCATION OF WRITTEN WILL. Any written will or
25 any part of a written will may be revoked

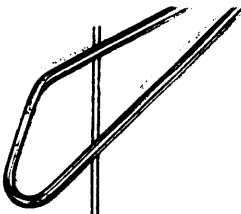
26 (1) by a valid written will; or
27 (2) by being burnt, torn, cancelled, obliterated, or

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above
27, 28, 29

Same as AGLF

1 who is interested in any hearing in a probate proceeding may in
2 person or by attorney waive notice of the hearing. Any person
3 who submits to the jurisdiction of the court in any hearing shall
4 be deemed to have waived notice thereof.

5 Sec. 8.06. REPEALS. The following laws and parts of laws
6 are repealed: Sec. 59-1-1, 59-1-2, 59-1-3, 59-1-4, 59-1-5,
7 59-2-1, 59-2-2, 59-2-3, 59-2-4, 59-2-5, 59-2-6, 59-3-1, 59-3-2,
8 59-3-3, 59-3-4, 59-3-5, 59-3-6, 59-4-1, 59-4-2, 59-4-3, 59-5-1,
9 59-5-2, 59-5-3, 59-5-4, 60-1-1, 60-1-2, 60-1-5, 60-1-6, 60-1-7,
10 60-1-8, 60-1-9, 60-1-10, 60-1-11, 60-1-12, 60-1-13, 60-1-14,
11 61-1-1, 61-1-2, 61-1-3, 61-1-4, 61-1-5, 61-1-6, 61-1-7, 61-1-8,
12 61-1-9, 61-2-1, 61-2-2, 61-2-3, 61-2-4, 61-2-5, 61-2-6, 61-2-7,
13 61-2-8, 61-3-3, 61-3-5, 61-3-6, 61-3-7, 61-3-8, 61-3-9, 61-3-10,
14 61-4-1, 61-4-2, 61-4-3, 61-4-4, 61-5-1, 61-5-3, 61-5-4, 61-5-5,
15 61-5-6, 61-6-1, 61-6-2, 61-6-3, 61-6-4, 61-6-5, 61-6-6, 61-6-11,
16 61-6-12, 61-6-13, 61-6-14, 61-6-15, 61-6-16, 61-6-17, 61-7-4,
17 61-7-5, 61-7-6, 61-7-7, 61-7-8, 61-7-9, 61-7-10, 61-7-21, 61-7-22,
18 61-7-23, 61-8-1, 61-8-2, 61-8-3, 61-8-4, 61-8-5, 61-8-6, 61-8-7,
19 61-8-8, 61-8-9, 61-8-10, 61-8-11, 61-8-12, 61-8-13, 61-8-14,
20 61-8-15, 61-8-16, 61-8-17, 61-9-1, 61-9-2, 61-9-3, 61-9-4,
21 61-9-5, 61-9-6, 61-9-7, 61-9-8, 61-10-1, 61-11-1, 61-11-2,
22 61-11-3, 61-11-4, 61-11-5, 61-11-6, 61-11-7, 61-12-1, 61-12-2,
23 61-12-3, 61-12-4, 61-12-5, 61-13-1, 61-13-2, 61-13-3, 61-13-4,
24 61-13-5, 61-13-6, 61-13-7, 61-13-8, 61-13-9, 61-13-10, 61-13-22,
25 61-13-23, 61-13-24, 61-13-25, 61-13-26, 61-13-27, 61-13-28,
26 61-14-1, 61-14-2, 61-14-3, 61-14-4, 61-14-7, 61-14-8, 61-14-9,



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IN THE SENATE BY THE JUDICIARY COMMITTEE

CS FOR SENATE BILL NO. 4

IN THE LEGISLATURE OF THE STATE OF ALASKA

SECOND LEGISLATURE - FIRST SESSION

A BILL
relating to wills

For an Act entitled: "An Act ^{to} codify and revise the state law relating to probate; to provide a comprehensive probate code; and to provide for an effective date."

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

ARTICLE ~~I~~ *II*
WILLS

Section 1.01. WILL DEFINED. The term "will" as used in this Act shall be construed to include all codicils as well as wills.

Sec. 1.02. WHO MAY MAKE. Every person of sound mind who is ²¹ 19 or more years of age may make a will under the rules and limitations provided by law.

Sec. 1.03. MARINERS AND SOLDIERS. A mariner at sea, or soldier in the military service, may dispose of his wages or other personal property as he might have done by common law, or by reducing the same to writing.

Sec. 1.04. RIGHT TO BEQUEATH INSURANCE POLICY PROCEEDS. In the event the insured, his executor, or his estate is designated as the beneficiary in a life insurance, accident insurance, endowment insurance, or tontine insurance policy, the proceeds or avails of the policies may be bequeathed by will as part of the