

**Subject** Harmless error; wills and estate planning; public health emergency

**Authors** Lesch and others

**Analyst** Mary Mullen

**Date** April 7, 2020

## Summary

This bill allows a writing that does not meet one or part of a requirement for executing a will currently under law to be treated by the court probating the will or document, such as a revocation or codicil, as if it was executed properly if there is clear and convincing evidence the testator intended for the document to be controlling. Current law requires a will to be in writing, signed by the testator or another individual at their direction, and signed by two witnesses who also sign the document verifying they witnessed the testator sign the document or sign an acknowledgment of the signature or will.

This bill only applies to documents executed between March 13, 2020, and February 15, 2021.