



State of Tennessee

PUBLIC CHAPTER NO. 843

HOUSE BILL NO. 1472

By Representatives Lamberth, Marsh

Substituted for: Senate Bill No. 1560

By Senators Haile, Bowling

AN ACT to amend Tennessee Code Annotated, Title 32, relative to witness signatures.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 32-1-104, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) For wills executed prior to July 1, 2016, to the extent necessary for the will to be validly executed, witness signatures affixed to an affidavit meeting the requirements of § 32-2-110 shall be considered signatures to the will, provided that:

(1) The signatures are made at the same time as the testator signs the will and are made in accordance with subsection (a); and

(2) The affidavit contains language meeting all the requirements of subsection (a). If the witnesses signed the affidavit on the same day that the testator signed the will, it shall be presumed that the witnesses and the testator signed at the same time, unless rebutted by clear and convincing evidence. If, pursuant to this subsection (b), witness signatures on the affidavit are treated as signatures on the will, the affidavit shall not also serve as a self-proving affidavit under § 32-2-110. Nothing in this subsection shall affect, eliminate, or relax the requirement in subsection (a) that the testator sign the will.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring.

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PASSED: April 6, 2016

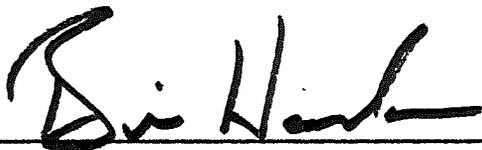


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 19th day of April 2016



BILL HASLAM, GOVERNOR