

S.316

An act relating to execution of wills during an emergency

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 14 V.S.A. § 5 is amended to read:

§ 5. EXECUTION OF WILL; REQUISITES

(a) A will shall be:

(1) in writing;

(2) signed in the presence of two or more credible witnesses by the testator or in the testator's name by some other person in the testator's presence and by the testator's express direction; and

(3) attested and subscribed by the witnesses in the presence of the testator and each other.

(b) During the period that the Emergency Administrative Rules for Remote Notarial Acts adopted by the Vermont Secretary of State ("the Emergency Rules") are in effect, the witnesses to a will signed in conformity with the Emergency Rules and pursuant to the self-proving will provisions of section 108 of this title shall be considered to be in the presence of the testator and each other whether or not the witnesses are physically present with the testator or the notary.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.