

CHAPTER 150
FORMERLY
HOUSE BILL NO. 163

AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO OUT-OF-STATE SELF PROVED WILLS.

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

Section 1. Amend § 1306, Title 12 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 1306. Choice of law as to execution and proving of wills.

(a) A written will signed by the testator, or by some person subscribing the testator's name in the testator's presence and at the testator's express direction, is valid provided that:

(1) ~~if It is~~ executed in compliance with § 202 of this title ~~or~~;

(2) ~~if its execution complies~~ It is executed in compliance with the law at the time of execution of the place where the will is executed; ~~or~~ ~~of~~

(3) It is executed in compliance with the law of the place where at the time of execution or at the time of death the testator is domiciled, has a place of abode or is a national.

(b) An attested will that is considered valid under the provisions of this section shall be considered self-proved provided that:

(1) It is executed in compliance with the requirements of §1305 of this title;

(2) It is executed in compliance with requirements of the law necessary to create a self-proved will in the jurisdiction where such will is made self-proved, at the time such will is made self-proved; or

(3) It is executed in compliance with requirements of the law necessary to create a self-proved will in the jurisdiction where the testator is domiciled, has a place of abode, or is a national at the time of death.

Approved August 07, 2015