SPONSOR: Sen. Richardson & Sen. Pettyjohn & Rep. Wilson
Sen. Hocker; Rep. Baumbach

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE BILL NO. 238
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 12 OF THE DELAWARE CODE RELATING TO THE REGISTER OF WILLS.

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

Section 1. Amend § 2513, Title 12 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2513. Deposit of original wills with Register in New Castle County, Kent County, and Sussex County.

(a) An original will may be deposited by any testator, testatrix, attorney-in-fact or attorney-at-law for safekeeping in the office of the Register of Wills for New Castle County, Kent County, or Sussex County upon payment of a fee of $5.

(e) The Register, upon receipt of notice of death and an affidavit of the proposed personal representative which alleges that, at the time of the decendent's death, the decedent was not a resident of ~~New Castle County~~ the county in which the will was deposited ~~at the time of the decedent's death,~~ shall deliver the will to the probate officer or Register of Wills for the county or state where the decedent is alleged to have resided at the decedent's death.

(h) The fee to be paid the Register may be increased or reduced by the ~~New Castle County Council~~ county council in the county in which the will was deposited, at ~~its~~ the county council's election.

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