

## HOUSE BILL No. 2953

By Committee on Appropriations

2-16

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9 AN ACT concerning limitations on testamentary power; amending  
10 K.S.A. 59-602 and repealing the existing section.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 59-602 is hereby amended to read as follows: 59-  
14 602. (a) Any devise or other disposition of real estate located in this state  
15 taking effect in possession or enjoyment at death, and any bequest or  
16 other disposition of any personal property by a resident of this state taking  
17 effect in possession or enjoyment at death, without regard to the time  
18 when the will or other instrument containing such devise, bequest or  
19 other such disposition shall have been made, to any foreign country, sub-  
20 division thereof, or city, body politic, or corporation, located therein or  
21 existing under the laws thereof, or in trust or otherwise to any trustee or  
22 agent thereof, except devises, bequests or other such dispositions to in-  
23 stitutions created and existing exclusively for religious, educational, or  
24 charitable purposes, is hereby prohibited. Any such devise, bequest or  
25 other such disposition shall be void.

26 (b) *Except as may be authorized under K.S.A. 39-785 to 39-790, in-*  
27 *clusive, and amendments thereto, or is authorized under federal law, any*  
28 *devise or other disposition of real estate located in this state which is made*  
29 *or entered into on or after the effective date of this act, and any bequest*  
30 *or other disposition of any personal property by a resident of this state*  
31 *which is made or entered into on or after the effective date of this act to*  
32 *any person, or in trust or otherwise to any trustee or agent thereof which*  
33 *is made or entered into on or after the effective date of this act, which is*  
34 *intended to result in making an individual eligible for public assistance,*  
35 *as the term assistance is defined under K.S.A. 39-702 and amendments*  
36 *thereto, is hereby prohibited. Any such devise, bequest or other such dis-*  
37 *position shall be void.*

38 Sec. 2. K.S.A. 59-602 is hereby repealed.

39 Sec. 3. This act shall take effect and be in force from and after its  
40 publication in the statute book.