

ENROLLED ACT NO. 56, SENATE

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2021 GENERAL SESSION

AN ACT relating to wills, decedents' estates and probate code; specifying that taking the life of another precludes rights of survivorship and payable on death benefits; specifying the order in which benefits accrue as between the deceased and the person who caused the death; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 2-14-101(a), (c) and by creating new subsections (d) and (e) is amended to read:

2-14-101. Taking of life precludes one from inheritance, insurance or survivorship benefits; how benefits distributed; notification of insurer necessary.

(a) No person who feloniously takes or causes or procures another to take the life of another shall:

(i) Inherit from or take by devise or legacy from the deceased person any portion of his estate;

(ii) Inherit, receive or otherwise take any property held with the deceased person in a joint tenancy with rights of survivorship, tenancy by the entirety or any other form of co-ownership with rights of survivorship;

(iii) Inherit, receive or otherwise take any property conveyed by the deceased person by beneficiary designation, transfer on death designation, payable on death designation or other conveyance that occurs because of the death of the deceased person;

(iv) Serve through nomination, appointment or otherwise in any fiduciary or representative capacity for

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the deceased person, including as a personal representative, executor, trustee or agent. Any provision in a governing instrument conferring any power of appointment on the killer shall be deemed to have been terminated at the time immediately preceding the killing of the deceased person.

(c) Except as provided in subsection (d) of this section in every instance mentioned in this section all benefits that would accrue to ~~any such person~~ the killer upon the death of the person whose life is taken shall become subject to distribution among the other beneficiaries or heirs of the deceased person according to the will, trust or other valid dispositive instrument of the deceased person as though the killer has predeceased the deceased person, or if no such valid instrument exists, according to the rules of descent and distribution. However, an insurance company is discharged of all liability under a policy issued by it upon payment of the proceeds in accordance with the terms thereof unless before payment the company receives written notice by or in behalf of some claimant other than the beneficiary named in the policy that a claim to the proceeds of the policy will be made by heirs of the deceased under the provisions of this section.

(d) For purposes of paragraph (a)(ii) of this section, the interests of the deceased person and the killer in property held by them at the time of the killing as joint tenants with the right of survivorship, tenants by entirety or any other form of co-ownership with rights of survivorship shall be deemed to have been terminated at the time immediately preceding the killing of the deceased

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person and the interests of the deceased person and the killer shall be recognized as tenancies in common.

(e) As used in this section, "killer" means the person who feloniously takes or causes or procures another to take the life of another person as provided in subsection (a) of this section.

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

ORIGINAL SENATE
FILE NO. SF0066

ENGROSSED

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(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk