

Effective 8/31/2020

75-2-1405 Execution of an electronic will.

- (1) Subject to Subsection 75-2-1408(4) and except as provided in Section 75-2-1406, an electronic will shall be:
 - (a) a record that is readable as text at the time of signing under Subsection (1)(b);
 - (b) signed:
 - (i) by the testator; or
 - (ii) in the testator's name by some other individual in the testator's conscious presence and by the testator's direction; and
 - (c) signed in the physical or electronic presence of the testator by at least two individuals within a reasonable time after witnessing:
 - (i) the signing of the will under Subsection (1)(b); or
 - (ii) the testator's acknowledgment of the signing of the will under Subsection (1)(b) or the testator's acknowledgment of the will.
- (2) Intent of a testator that the record under Subsection (1)(a) be the testator's electronic will may be established by extrinsic evidence.

Enacted by Chapter 1, 2020 Special Session 6