

Effective 5/9/2017

75-2-902 Duty of custodian of will -- Liability.

After the death of a testator and on request of an interested person, a person having custody of a will of the testator shall deliver it with reasonable promptness to a person able to secure its probate. A person who wilfully fails to deliver a will is liable to a person aggrieved for damages that may be sustained by the failure. A person who wilfully refuses or fails to deliver a will after being ordered by the court in a proceeding brought for the purpose of compelling delivery is subject to penalty for contempt of court.

Amended by Chapter 115, 2017 General Session