

633.279 Signed and witnessed.

1. *Formal execution.* All wills and codicils, except as provided in [section 633.283](#), to be valid, must be in writing, signed by the testator, or by some person in the testator’s presence and by the testator’s express direction writing the testator’s name thereto, and declared by the testator to be the testator’s will, and witnessed, at the testator’s request, by two competent persons who signed as witnesses in the presence of the testator and in the presence of each other; provided, however, that the validity of the execution of any will or instrument which was executed prior to January 1, 1964, shall be determined by the law in effect immediately prior to said date.

2. *Self-proved will.*

a. An attested will may be made self-proved at the time of its execution, or at any subsequent date, by the acknowledgment thereof by the testator and the affidavits of the witnesses, each made before a person authorized to administer oaths and take acknowledgments under the laws of this state, and evidenced by such person’s certificate, under seal, attached or annexed to the will, in form and content substantially as follows:

Affidavit

State of.....)
County of.....) ss

We, the undersigned,,, and, the testator and the witnesses, respectively, whose names are signed to the attached or foregoing instrument, being first duly sworn, declare to the undersigned authority that at the date of the instrument, we all knew the identity of each other; the instrument was exhibited to the witnesses by the testator, who declared it to be the testator’s last will and testament and was signed by the testator or by another at the direction of the testator at, in the County of, State of, on the date shown in the instrument, and in the presence of each other as subscribing witnesses; that we, as witnesses, declare to the undersigned authority that in our presence the testator executed and acknowledged such will as the testator’s will and that we, in the testator’s presence, at the testator’s request, and in the presence of each other, did subscribe our names thereto as attesting witnesses on the date of such will; and that the witnesses were sixteen years of age or older.

.....
Testator

.....
Witness

.....
Witness

.....
Subscribed, sworn and acknowledged before me by, the testator; and subscribed and sworn before me by and, witnesses, this day of (month), (year)

.....

Signature of notarial officer

(Stamp)

[.....]
Title of office

[My commission expires]

b. A self-proved will shall constitute proof of due execution of such instrument as required by [section 633.293](#) and may be admitted to probate without testimony of witnesses.

3. *Execution of remote will or codicil in counterparts.* When a will or codicil is executed using remote signing under [this section](#), the original document may be executed in one or more counterparts by parties located in different locations, and all such counterparts may be aggregated to comprise the complete will or codicil of the testator.

4. *Remote will or codicil under disaster proclamation.* Any will or codicil executed using the remote signing procedures permitted under the proclamation of disaster emergency of the governor issued April 2, 2020, and expired February 15, 2022, shall be deemed to satisfy the presence requirements of [this section](#) if the will or codicil was executed during the effective period of the proclamation of disaster emergency.

5. *Definition.* For purposes of [this section](#), “*presence*” means any manner, physical or electronic, in which the witness and testator can see and hear the acts of each other in real time.

[C51, §1281; R60, §2313; C73, §2326; C97, §3274; C24, 27, 31, 35, 39, §11852; C46, 50, 54, 58, 62, §633.7; C66, 71, 73, 75, 77, 79, 81, §633.279]

[2000 Acts, ch 1058, §56](#); [2011 Acts, ch 25, §73](#); [2012 Acts, ch 1050, §57, 60](#); [2013 Acts, ch 33, §2, 9](#); [2015 Acts, ch 30, §180](#); [2023 Acts, ch 133, §2, 3](#)

Referred to in [§622.1](#)

Subsection 4 applies retroactively to wills and codicils executed on or after April 2, 2020; 2023 Acts, ch 133, §3

NEW subsections 3 – 5