

January 14, 1970

SENATE FILE 1058

Passed on File

*Judiciary 1-14, Passed  
See " 1-21, Passed as amended 2-6*

By MOWRY and RIGLER

Passed Senate, Date *1-21-70* Passed House, Date *2-27-70*

Vote: Ayes *58* Nays *0* Vote: Ayes *101* Nays *0*

Approved *3-16-70*

*Passed as amended  
3-9-70  
57-0*

## A BILL FOR

1 An Act legalizing wills.

2 *Be It Enacted by the General Assembly of the State of Iowa:*

3 Section 1. Section five hundred ninety point one (590.1),

4 Code 1966, is hereby amended as follows:

5 1. By striking from line one (1) the figures "1955" and

6 inserting in lieu thereof the figures "1965".

7 2. By striking from line six (6) the figures "1958" and

8 inserting in lieu thereof the figures "1966".

9 Sec. 2. Section five hundred ninety point two (590.2), Code  
10 1966, is hereby amended as follows:

11 1. By striking from line two (2) the figures "1959" and  
12 inserting in lieu thereof the figures "1969".

13 2. By striking from line eight (8) the figures "1958" and  
14 inserting in lieu thereof the figures "1966".

15 Sec. 3. This Act shall not affect pending litigation nor  
16 shall it operate to revive the rights or claims previously  
17 barred nor permit an action to be brought or maintained upon  
18 any claim or cause of action which is barred by any statute  
19 which is in force prior to July 1, 1970, nor shall it affect  
20 any action which may be brought on or before January 1, 1971.

### EXPLANATION

This bill extends the dates of previous legalizing acts relating to wills.

- 1 Amend Senate File 1058 as follows:  
2 1. Strike from line six (6) "1965" and insert "1964".  
3 2. Strike lines seven (7) and eight (8) and insert:  
4 "2. By striking from line six (6) 'Code 1946 to 1958'  
5 and inserting 'Codes 1946 to 1962'."  
6 3. Add after line eight (8) the following:  
7 "3. By adding to said section a new paragraph as follows:  
8 In all instances prior to January 1, 1967, where admin-  
9 istrators have failed to publish their appointment as required  
10 by section six hundred thirty-three point two hundred thirty  
11 (633.230), Code 1966, and executors have failed to publish a  
12 notice of admission of the will to probate and their appointment  
13 as required by section six hundred thirty-three point three  
14 hundred four (633.304), Code 1966, but have published a notice  
15 of appointment or notice of admission of the will to probate  
16 and of the appointment of the executor, such notice of appoint-  
17 ment or notice of admission of the will to probate and of the  
18 appointment of the executor, is hereby legalized and shall have  
19 the same force and effect as though the same had been published  
20 as required."  
21 4. Strike from line twelve (12) "1969" and insert "1964".  
22 5. Strike lines thirteen (13) and fourteen (14) and insert:  
23 "2. By striking from lines seven (7) and eight (8) 'Code  
24 1946 to 1958' and inserting 'Codes 1946 to 1962'."

Filed - *Adopted as amended 2-27* COMMITTEE ON JUDICIARY  
February 6, 1970 WILLIAM HILL, Chairman

*House*

- 1 Amend the committee on judiciary amendment to  
2 Senate File 1058, filed February 6, 1970, by in-  
3 serting in line 9 after the word "publish" the  
4 words "notice of".

Filed - *Adopted 2-27*  
February 11, 1970  
In: Judiciary

WEICHMAN of Benton

*House*

HOUSE AMENDMENT TO SENATE FILE 1058

- 1 Amend Senate File 1058 as follows:  
2 1. Strike from line six (6) "1965" and insert "1964".  
3 2. Strike lines seven (7) and eight (8) and insert:  
4 "2. By striking from line six (6) 'Code 1946 to 1958'  
5 and inserting 'Codes 1946 to 1962'."  
6 3. Add after line eight (8) the following:  
7 "3. By adding to said section a new paragraph as follows:  
8 In all instances prior to January 1, 1967, where  
9 administrators have failed to publish notice of their  
10 appointment as required by section six hundred thirty-three  
11 point two hundred thirty (633.230), Code 1966, and executors  
12 have failed to publish a notice of admission of the will  
13 to probate and their appointment as required by section six  
14 hundred thirty-three point three hundred four (633.304),  
15 Code 1966, but have published a notice of appointment or  
16 notice of admission of the will to probate and of the  
17 appointment of the executor, such notice of appointment or  
18 notice of admission of the will to probate and of the  
19 appointment of the executor, is hereby legalized and shall  
20 have the same force and effect as though the same had been  
21 published as required."  
22 4. Strike from line twelve (12) "1969" and insert  
23 "1964".  
24 5. Strike lines thirteen (13) and fourteen (14) and  
25 insert:  
26 "2. By striking from lines seven (7) and eight (8)  
27 'Code 1946 to 1958' and inserting 'Codes 1946 to 1962'."

Filed  
March 2, 1970

*Senate concurred*  
3/9