

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

SENATE BILL NO. 2381  
(Senator Cleary)

AN ACT to amend and reenact section 30.1-11-01 of the North Dakota Century Code, relating to the deposit of a will.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 30.1-11-01 of the North Dakota Century Code is amended and reenacted as follows:

**30.1-11-01. (2-515) Deposit of will in testator's lifetime.**

A will may be deposited by the testator or the testator's agent with a recorder for safekeeping. The will must be sealed and kept confidential. During the testator's lifetime, a deposited will must be delivered only to the testator or to a person authorized in a writing signed by the testator to receive the will. A conservator may be allowed to examine a deposited will of a protected testator under procedures designed to maintain the confidential character of the document to the extent possible, and to ensure that it will be resealed and kept on deposit after the examination. Upon being informed of the testator's death, the recorder shall notify any person designated to receive the will and deliver it to that person on request or the recorder may deliver the will to the appropriate court. The recorder shall deliver the will to the appropriate court on the written request of an interested person as defined in section 30.1-01-06. The written request must contain the complete address of the appropriate court along with a copy of the death certificate or obituary. The will must be either hand delivered upon acceptance from the court if the appropriate court is in the same county or delivered by certified mail with a return receipt if the appropriate court is in another county.

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President of the Senate

\_\_\_\_\_  
Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2381.

Senate Vote:    Yeas 47            Nays 0            Absent 0

House Vote:    Yeas 92            Nays 0            Absent 2

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Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2023,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State