
Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Assembly Bill 327

Assembly Amendment 1

2019 ASSEMBLY BILL 327

2019 Assembly Bill 327 revises the proof of death that is required to be provided to a register of deeds to terminate a decedent's interest in a joint tenancy. Rather than requiring a certified copy of the death certificate, the bill requires the applicant to sign, and verify under oath, the correctness of the information provided in the application. Under current law, the information provided in the application must include the decedent's date of death. The procedure applies to the termination of a decedent's interest in a joint tenancy and other types of interest in real property that similarly pass to other persons who have a legally recognized interest in the property.

ASSEMBLY AMENDMENT 1

Assembly Amendment 1 specifies that a purchaser or lender has no duty to inquire if a decedent's interest in a joint tenancy or life estate was properly terminated. If the property is acquired from a surviving joint tenant or remainder beneficiary in good faith, for value, and without notice of an improper termination, the purchaser or lender has no personal liability to the estate.

BILL HISTORY

Assembly Amendment 1 was introduced on January 15, 2020, by Representative Ballweg. On January 21, 2020, the Assembly voted to adopt Assembly Amendment 1 and pass the bill, as amended, on voice votes.

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