
Wisconsin Legislative Council

AMENDMENT MEMO



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2019 Senate Bill 318

Senate Amendment 1

2019 SENATE BILL 318

2019 Senate Bill 318 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.

SENATE AMENDMENT 1

Senate 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

Senate Amendment 1 was offered by Senator Olsen on January 10, 2020. On February 6, 2020, the Senate Committee on Labor and Regulatory Reform recommended adoption of the amendment, and passage of the bill, as amended, on votes of Ayes, 5; Noes, 0.

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