

No. 541, S.]

[Published August 3, 1955.

### CHAPTER 505

AN ACT to repeal and recreate 237.10 (2); and to amend 237.10 (6) of the statutes, relating to amendments to the uniform simultaneous death act.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 237.10 (2) of the statutes is repealed and recreated to read:

237.10 (2) If property is so disposed of that the right of a beneficiary to succeed to any interest therein is conditional upon his surviving another person, and both persons die, and there is no sufficient evidence that the 2 have died otherwise than simultaneously, the beneficiary shall be deemed not to have survived. If there is no sufficient evidence that 2 or more beneficiaries have died otherwise than simultaneously and property has been disposed of in such a way that at the time of their death each of such beneficiaries would have been entitled to the property if he had survived the others, the property shall be divided into as many equal portions as there were such beneficiaries and these portions shall be distributed respectively to those who would have taken in the event that each of such beneficiaries had survived.

SECTION 2. 237.10 (6) of the statutes is amended to read:

237.10 (6) This section shall not apply in the case of wills, living trusts, deeds, or contracts of insurance \* \* \*, *or any other situation where provision \* \* \* is made for distribution of property different from the provisions of this section, or where provision is made for a presumption as to survivorship which results in a distribution of property different from that here provided.*

Approved July 25, 1955.