

By: Representative Mims

To: Judiciary A

HOUSE BILL NO. 637

1 AN ACT TO AMEND SECTION 91-5-1, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE HOLOGRAPHIC WILLS EXECUTED IN A HOSPITAL SETTING TO BE
3 ATTESTED BY A CHAPLAIN; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 91-5-1, Mississippi Code of 1972, is
6 amended as follows:

7 91-5-1. Every person eighteen (18) years of age or older,
8 being of sound and disposing mind, shall have power, by last will
9 and testament, or codicil in writing, to devise all the estate,
10 right, title and interest in possession, reversion, or remainder,
11 which he or she hath, or at the time of his or her death shall
12 have, of, in, or to lands, tenements, hereditaments, or annuities,
13 or rents charged upon or issuing out of them, or goods and
14 chattels, and personal estate of any description whatever,
15 provided such last will and testament, or codicil, be signed by
16 the testator or testatrix, or by some other person in his or her
17 presence and by his or her express direction. Moreover, if not
18 wholly written and subscribed by himself or herself, it shall be
19 attested by two (2) or more credible witnesses in the presence of
20 the testator or testatrix. A last will and testament which is
21 wholly written and subscribed by the testator or testatrix and
22 which is executed in a hospital or health care provider setting
23 must be attested by the chaplain of such hospital or health care
24 provider.

25 **SECTION 2.** This act shall take effect and be in force from
26 and after July 1, 2007.