

397.1002 Requirement of survival by one hundred twenty (120) hours.

Except as provided in KRS 397.1006, if the title to property, the devolution of property, the right to elect an interest in property, or the right to exempt property, homestead, or family allowance depends upon an individual's survivorship of the death of another individual, an individual who is not established by clear and convincing evidence to have survived the other individual by one hundred twenty (120) hours is deemed to have predeceased the other individual. This section shall not apply if its application would result in a taking of intestate estate by the state.

Effective: July 15, 1998

History: Created 1998 Ky. Acts ch. 415, sec. 2, effective July 15, 1998.