**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 62‑1‑311 SO AS TO ESTABLISH A CENTRAL WILL REGISTRY WITHIN EACH PROBATE COURT IN THE STATE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Part 3, Article 1, Chapter 1, Title 62 of the 1976 Code is amended by adding:

“Section 62‑1‑311. Each county probate court in the State shall create and maintain a will registry. The information contained in this registry shall include the full name of the person making the will, the date the will was made, and sufficient identification of the location of the will at the time of registration. At the election of the person making the will, the testator also may choose to include his address and the name of the attorney who drafted the will. The method of registration must be on a form required by the probate court. The fee for registration must be ten dollars which may be retained by the probate court to offset the cost of maintaining the registry. The probate court must not be liable in any way for the accuracy of the information contained in the registry. The existence, or nonexistence, of a registration for a particular will must not be considered as an evidentiary fact in a proceeding relating to that will. The failure to file information about a will in the registry must not be a factor in the validity of the will, nor must the failure to file be considered as malpractice on the part of an attorney as to the will. Only interested persons or their attorneys may search the records contained in the will registry. The probate court must not be liable for the accuracy of the representation of the interested person or the interested person’s attorney.”

SECTION 2. This act takes effect upon approval by the Governor.

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