

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 388

AMENDMENT NO. A3
(to be filled in by
Principal Clerk)

H388-ATG-65 [v.9]

Page 1 of 3

Amends Title [YES]
Third Edition

Date _____, 2025

Senator Daniel

1 moves to amend the bill on page 1, line 6, by deleting "NOTARIZATION SUNSET." and
2 substituting "SUNSETS.";

3
4
5 and on page 8, lines 43-50, by rewriting the lines to read:

6
7 **""§ 31-71. Definitions.**

8 In this Article, the following definitions apply:

9 (1) Electronic. – Relating to technology having electrical, digital, magnetic,
10 wireless, optical, electromagnetic, or similar capabilities.

11 (2) Record. – Information that is inscribed on a tangible medium or that is stored
12 in an electronic or other medium and is retrievable in perceivable form.

13 **""§ 31-72. Storage of attested written will by a licensed attorney as an electronic record.**

14 (a) At any time during the life of the testator, an attorney licensed to practice law in North
15 Carolina may, at the testator's direction, create an electronic record of the testator's attested
16 written will. The electronic record shall include a certification, signed by that attorney, in the
17 form of an affidavit sworn to or affirmed before an officer authorized to administer oaths, that
18 the electronic record of the attested written will is a complete, true, and accurate copy of the
19 attested written will, that the testator expressly authorized the attorney to create an electronic
20 record of the attested written will, and that the testator has been advised that the creation of an
21 electronic record of the testator's attested written will eliminates the ability of the testator to
22 revoke the attested written will by physical act.";

23
24
25 and on page 9, line 4, by rewriting the line to read:

26
27 **""§ 31-73. Certification of paper copy of attested written will stored as an electronic**
28 **record.**";

29
30
31 and on page 9, line 7, by replacing "G.S. 31-71" with "G.S. 31-72";



* H 3 8 8 - A T G - 6 5 - V - 9 *

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 388

ADOPTED

AMENDMENT NO. **A3**
(to be filled in by
Principal Clerk)

H388-ATG-65 [v.9]

Page 2 of 3

1
2
3 and on page 9, line 11, by replacing "G.S. 31-71." with "G.S. 31-72.";
4

5
6 and on page 9, line 40, by replacing "G.S. 31-72." with "G.S. 31-73.";
7

8
9 and on page 10, line 17, by replacing "G.S. 31-72" with "G.S. 31-73";
10

11
12 and on page 10, line 44, by replacing "G.S. 31-72." with "G.S. 31-73.";
13

14
15 and on page 11, line 6, by replacing "G.S. 31-72." with "G.S. 31-73.";
16

17
18
19
20 and on page 11, lines 8-9, by inserting the following between those lines:

21 "SECTION 8.7. G.S. 31-5.1 reads as rewritten:

22 "§ 31-5.1. Revocation of written will.

23 A written will, or any part thereof, may be revoked only

24 (1) By a subsequent written will or codicil or other revocatory writing executed
25 in the manner provided herein for the execution of written wills, or

26 (2) By being burnt, torn, canceled, obliterated, or destroyed, with the intent and
27 for the purpose of revoking it, by the testator himself or by another person in
28 the testator's presence and by the testator's ~~direction~~direction, except as
29 otherwise provided in Article 11 of this Chapter.";
30

31
32
33 and on page 11, line 10, by deleting "NOTARIZATION SUNSET" and substituting
34 "SUNSETS";
35

36
37 and on page 11, line 11, by deleting "SECTION 9." and substituting "SECTION 9.(a)";
38
39
40
41
42
43

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 388

ADOPTED

AMENDMENT NO. **A3**
(to be filled in by
Principal Clerk)

H388-ATG-65 [v.9]

Page 3 of 3

and on page 11, lines 18-19, by inserting the following between those lines:

"SECTION 9.(b) G.S. 10B-200(b) reads as rewritten:

"(b) This Article expires ~~June 30, 2025~~, upon the earlier of (i) 12:01 A.M. July 1, 2026, or
(ii) the date the Secretary issues the first license in accordance with G.S. 10B-134.19. If the
Secretary issues the first license in accordance with G.S. 10B-134.19 prior to 12:01 A.M. July 1,
2026, the Secretary shall file that date with the Codifier of Rules to be published in the North
Carolina Register as the expiration date of this section."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
Senate Principal Clerk's Office**