

CHAPTER 135 - SIMULTANEOUS DEATH (UNIFORM ACT)

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SECTION 135.010 Short title. This chapter may be cited as the Uniform Simultaneous Death Act.

SECTION 135.020 Insufficient evidence of survivorship. Where the title to property or the devolution thereof depends upon priority of death and there is insufficient evidence that the persons died otherwise than simultaneously, the property of each person must be disposed of as if that person had survived, except as provided otherwise in this chapter.

SECTION 135.030 Beneficiaries of another person's disposition of property. Where two or more beneficiaries are designated to take successively by reason of survivorship under another person's disposition of property and there is insufficient evidence that these beneficiaries died otherwise than simultaneously, the property thus disposed of must be divided into as many equal portions as there are successive beneficiaries and these portions must be distributed respectively to those who would have taken in the event that each designated beneficiary had survived.

SECTION 135.040 Joint tenants or spouses holding title to community property with right of survivorship. Where there is insufficient evidence that two joint tenants or spouses holding title to community property with right of survivorship died otherwise than simultaneously, the property so held must be distributed one-half as if one had survived and one-half as if the other had survived. If there are more than two joint tenants and all of them have so died, the property thus distributed must be in the proportion that one bears to the whole number of joint tenants.

SECTION 135.050 Insurance policies. Where the insured and the beneficiary in a policy of life or accident insurance have died and there is insufficient evidence that they died otherwise than simultaneously, the proceeds of the policy must be distributed as if the insured had survived the beneficiary.

SECTION 135.060 Community property. Except as otherwise provided in [SECTION 135.050](#) or in a premarital agreement between spouses which is enforceable pursuant to [chapter 123A](#), where both spouses have died, leaving community property, and there is insufficient evidence that they died otherwise than simultaneously, one-half of all the community property must be distributed as if one spouse had survived and the other one-half thereof must be distributed as if the other spouse had survived.

SECTION 135.080 Chapter does not apply if decedent provides otherwise. This chapter does not apply in the case of wills, living trusts, deeds, or contracts in which provision has been made for distribution of property different from the provisions of this chapter.

SECTION 135.090 Uniformity of interpretation. This chapter shall be so construed and interpreted as to effectuate its general purpose to make uniform the law in those states which enact it.

