

**394.540 Contract to make a will, not to revoke a will or to die intestate.**

- (1) A contract to make a will or devise, or not to revoke a will or devise or to die intestate, if executed after June 16, 1972, can be established only by:
  - (a) Provisions of a will stating material provisions of the contract;
  - (b) An express reference in a will to a contract and extrinsic evidence proving the terms of the contract; or
  - (c) A writing signed by the decedent evidencing the contract.
- (2) The execution of a joint will or mutual wills gives rise to no presumption of a contract not to revoke the will or wills.

**History:** Created 1972 Ky. Acts ch. 168, sec. 3, effective June 16, 1972.