

**59-2704. Absentee presumed dead; presumption of death involving a catastrophic event or disaster.** (a) An absentee shall be presumed to be dead for the purposes of this act if:

(1) The absentee shall remain unheard from by those persons most likely to hear from such absentee for a period of not less than five years; and

(2) one or more persons who had a bona fide motive for locating the absentee have conducted a diligent search for the absentee in all places where such absentee's presence could reasonably be expected.

(b) If no such search has been made with reference to an absentee who has been unheard from for more than five years and for whose estate a trustee has been appointed in accordance with this act, the district court may on the court's own motion order the trustee to conduct such search under the direction of the court and pay the reasonable expenses thereof out of the estate.

(c) Absentees missing as a result of a catastrophic event or disaster shall be presumed dead under K.S.A. 59-2708, and amendments thereto.

**History:** L. 1963, ch. 301, § 4; L. 1976, ch. 242, § 66; L. 1993, ch. 193, § 2; L. 2002, ch. 71, § 1; July 1.