

## Public Law 85-356

## AN ACT

To provide that the Uniform Simultaneous Death Act shall apply in the District of Columbia.

March 28, 1958  
[H. R. 3486]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act, providing for the disposition of property where there is no sufficient evidence that persons have died otherwise than simultaneously and to make uniform the law with reference thereto, shall be in effect in the District of Columbia on and after the date of the enactment of this Act.

District of Co-  
lumbia.  
Uniform Simul-  
taneous Death Act.

## NO SUFFICIENT EVIDENCE OF SURVIVORSHIP

SEC. 2. Where the title to property or the devolution thereof depends upon priority of death and there is no sufficient evidence that the persons have died otherwise than simultaneously, the property of each person shall be disposed of as if he had survived, except as provided otherwise in this Act.

## SURVIVAL OF BENEFICIARIES

SEC. 3. If property is so disposed of that the right of a beneficiary to succeed to any interest therein is conditional upon his surviving another person, and both persons die, and there is no sufficient evidence that the two have died otherwise than simultaneously, the beneficiary shall be deemed not to have survived. If there is no sufficient evidence that two or more beneficiaries have died otherwise than simultaneously and property has been disposed of in such a way that at the time of their death each of such beneficiaries would have been entitled to the property if he had survived the others, the property shall be divided into as many equal portions as there were such beneficiaries and these portions shall be distributed respectively to those who would have taken in the event that each of such beneficiaries had survived.

## JOINT TENANTS OR TENANTS BY THE ENTIRETY

SEC. 4. Where there is no sufficient evidence that two joint tenants or tenants by the entirety have died otherwise than simultaneously the property so held shall be distributed, or descend as the case may be, 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 or descended shall be in the proportion that one bears to the whole number of joint tenants.

The term "joint tenants" includes owners of property held under circumstances which entitled one or more to the whole of the property on the death of the other or others.

## INSURANCE POLICIES

SEC. 5. Where the insured and the beneficiary in a policy of life or accident insurance have died and there is no sufficient evidence that they have died otherwise than simultaneously, the proceeds of the policy shall be distributed as if the insured had survived the beneficiary.

## ACT DOES NOT APPLY IF DECEDENT PROVIDES OTHERWISE

SEC. 6. This Act shall not apply in the case of wills, living trusts, deeds, or contracts of insurance, or any other situation where provision is made for distribution of property different from the provisions of this Act, or where provision is made for a presumption as to survivor-

ship which results in a distribution of property different from that here provided.

#### ACT NOT RETROACTIVE

SEC. 7. This Act shall not apply to the distribution of the property of a person who has died before it takes effect.

#### UNIFORMITY OF INTERPRETATION

SEC. 8. This Act shall be so construed and interpreted as to effectuate its general purpose to make uniform the law in those States which enact it.

#### SHORT TITLE

SEC. 9. This Act may be cited as the "District of Columbia Uniform Simultaneous Death Act".

#### REPEAL

SEC. 10. All laws or parts of laws inconsistent with the provisions of this Act are hereby repealed.

#### SEVERABILITY

SEC. 11. If any of the provisions of this Act or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are declared to be severable.

Approved March 28, 1958.

### Public Law 85-357

March 28, 1958  
[S. 1984]

#### AN ACT

To provide for the transfer of the Civil Service Commission Building in the District of Columbia to the Smithsonian Institution to house certain art collections of the Smithsonian Institution.

Civil Service  
Commission Building  
Transfer.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the Administrator of General Services shall transfer the Civil Service Commission Building (formerly known as the Patent Office Building), and the site thereof located between Seventh and Ninth Streets and F and G Streets Northwest in the District of Columbia, to the Smithsonian Institution without reimbursement, for the use of certain art galleries of the Smithsonian Institution.

(b) The transfer provided for by subsection (a) shall be made at such time as the Administrator of General Services determines that the use of the building by the Federal Government for office purposes is no longer essential.

(c) The Administrator of General Services, in consultation with the Smithsonian Institution, is authorized to enter into such contracts and take such other action as may be necessary to make it suitable to house certain art galleries of the Smithsonian Institution upon transfer of funds available to the Smithsonian Institution for such purposes.

Approved March 28, 1958.