

2001 SESSION

INTRODUCED

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HOUSE BILL NO. 2069

Offered January 10, 2001

Prefiled January 10, 2001

A BILL to amend and reenact § 26-10 of the Code of Virginia, relating to appointment of assistant commissioners of accounts.

Patron—Howell

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 26-10 of the Code of Virginia is amended and reenacted as follows:

§ 26-10. Appointment of assistant commissioners of accounts, their duties and powers.

The judges of each court in this Commonwealth having jurisdiction of the probate of wills and granting administrations on estates of decedents may, either in term or in vacation, appoint, in addition to the commissioner or commissioners of accounts, assistant commissioners of account, who shall perform all the duties and exercise all of the powers required of the commissioner of accounts in all cases in which the commissioner of accounts from any cause is so situated that he cannot perform the duties of his office, or in which the commissioner of accounts is of opinion it is improper for him to act, and such assistant commissioners of accounts may perform such duties and exercise such powers in any other case except cases in which he is so situated that he cannot act, or in which he is of opinion it is improper for him to act. The person so appointed shall be a discreet and competent attorney-at-law; however, if no such attorney be found willing to serve, the court may appoint some other discreet and proper person. Any individual holding office on April 1, 1966, shall continue therein at the pleasure of the court or until his retirement or death. ~~Any such general authority to such assistant commissioner of accounts under this section shall be given in the discretion of the judge of such court and at the time of the appointment by him of such assistant commissioner of accounts.~~ *On all qualifications after June 30, 2001, assistant commissioners of accounts shall act only in such cases as the commissioner of accounts delegates to him.* An assistant commissioner of accounts making a settlement of a fiduciary account under the provisions of this section shall, within thirty days, report the fact and date of such settlement to the commissioner of accounts, who shall make an entry of the same in his record books.

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