

# 2002 SESSION

INTRODUCED

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## HOUSE BILL NO. 72

Offered January 9, 2002

Prefiled December 19, 2001

A *BILL to amend and reenact § 6.1-332.1 of the Code of Virginia, relating to limited access to safe-deposit box.*

Patron—Howell

Referred to Committee on Commerce and Labor

### Be it enacted by the General Assembly of Virginia:

#### 1. That § 6.1-332.1 of the Code of Virginia is amended and reenacted as follows:

§ 6.1-332.1. Limited access to safe-deposit box.

A. Upon the death of a sole lessee of a safe-deposit box, the company or bank may permit a limited access to ~~such the~~ box by the spouse or next of kin of ~~such the~~ deceased lessee or by a court clerk or other *interested* person ~~having an interest in locating any will of the decedent~~ for the limited purpose of looking for a will or other testamentary instruments. ~~Such access~~ Access shall be under the supervision of a designated officer or employee, and nothing shall be removed from ~~such the~~ box except the will or testamentary instrument for transmission to the appropriate clerk. If ~~such the~~ box ~~be with co-lessees is~~ *co-leased*, the company or bank may permit entry into the box by the spouse or next of kin or court clerk or other *interested* person ~~having an interest in locating any will of the decedent~~ for the purpose of looking for testamentary instruments and subject to the limitations above, upon proof satisfactory to it that the then co-lessees are not reasonably available for access to ~~such the~~ box.

B. Upon the incapacitation of a sole lessee of a safe-deposit box, the company or bank may permit limited access to ~~such box~~ by the spouse or next of kin of the incapacitated lessee or by a court clerk or other *interested* person for the limited purpose of looking for a power of attorney. Access shall be under the supervision of a designated officer or employee, and nothing shall be removed from the box except the power of attorney. If the box is *co-leased*, the company or bank may permit entry into the box by the spouse or next of kin or court clerk or other *interested* person for the limited purpose of looking for a power of attorney and subject to the limitations above, upon proof satisfactory to it that the then co-lessees are not reasonably available for access to the box.

C. The company or bank may require ~~such~~ proof of death or incapacitation, as it deems necessary, and shall not be liable except for acting in bad faith or the permitting of the removal of other items from ~~such the~~ safe-deposit box.

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