

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 6.1-332.1 of the Code of Virginia, relating to limited access to*  
3 *safe-deposit box.*

4  
5 Approved

[H 72]

6 **Be it enacted by the General Assembly of Virginia:**

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

8 § 6.1-332.1. Limited access to safe-deposit box.

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

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

27 C. The company or bank may require ~~such~~ proof of death or incapacity in the form of a letter from  
28 a *licensed physician*, as it deems necessary, and shall not be liable except for acting in bad faith or the  
29 permitting of the removal of other items from ~~such the~~ safe-deposit box.

ENROLLED

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