

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 26-17.9 of the Code of Virginia, relating to vouchers and statement of*
 3 *assets submitted to commissioners of accounts.*

4 [H 2096]

5 Approved

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

7 **1. That § 26-17.9 of the Code of Virginia is amended and reenacted as follows:**

8 § 26-17.9. Vouchers and statement of assets on hand; direct payments to account; vouchers for IRS
 9 payments.

10 A. Vouchers for disbursements and a statement of cash on hand or in a bank and all investments
 11 held at the terminal date of the account shall also be exhibited with each account. A voucher shall not
 12 be required when a disbursement, not exceeding the value of ~~twenty-five dollars~~ \$25, is made to a
 13 legatee under the authority of a will and such legatee refuses to take the possession or fails to present
 14 the disbursement check to a bank for payment. In such case the fiduciary shall file an affidavit stating
 15 that he has made a good faith effort to comply with the terms of the will and the provisions of this
 16 section.

17 B. A fiduciary may make payment to a beneficiary by transfer to the beneficiary's bank account with
 18 the fiduciary or by payment to an account with another bank through an automated clearinghouse, wire
 19 transfer or similar mechanism, if the beneficiary has consented in writing to such method of payment. In
 20 either case, a record or statement of the bank making such payment shall be a sufficient voucher.

21 C. In the case of payments to the Internal Revenue Service for income tax estimates or any other
 22 payments required or permitted to be made by wire transfer or similar mechanism, the fiduciary shall
 23 not be required to exhibit a receipt for such payment. A record or statement of the bank making such
 24 payment shall be a sufficient voucher.

25 D. In the case of payments of debts, taxes and expenses, a corporate fiduciary's affidavit signed by
 26 an officer familiar with the facts that describes each payment by date, payee, purpose and amount shall
 27 be a sufficient voucher for the purpose of subsection A. However, the commissioner of accounts may
 28 require that the corporate fiduciary exhibit a voucher for a specific payment.

29 E. In the event a fiduciary seeks to use a check as a voucher or receipt hereunder, (i) a copy of both
 30 sides ~~thereof~~ of the check shall be sufficient or (ii) a copy of the front side of the check, and the
 31 periodic statement, from the financial institution showing the check number and amount that coincides
 32 with the copy shall be sufficient, provided such copy was made in the regular course of business in
 33 accordance with the admissibility requirements of § 8.01-391, and provided further, that the
 34 commissioner of accounts may require a fiduciary to exhibit the original check or proper voucher for a
 35 specific payment or for distributions to beneficiaries or distributees.

ENROLLED

HB2096ER