

VIRGINIA ACTS OF ASSEMBLY -- 2007 SESSION

CHAPTER 508

An Act to amend and reenact § 53.1-221 of the Code of Virginia, relating to persons under disability not to include incarcerated persons for the execution of certain documents.

[H 2647]

Approved March 19, 2007

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-221 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-221. Appointment of committee; bond.

A. When a person is convicted of a felony and sentenced to confinement in a state correctional facility, his estate, both real and personal, may, on motion of any party interested, be committed by the circuit court of the county or city in which his estate, or some part thereof is, to a person selected by the court.

B. If a person so convicted and sentenced, whether a resident or a nonresident of Virginia, has no property or estate in the Commonwealth, a committee may be appointed for him, on motion of any party interested, by the circuit court of the county or city wherein the offense for which he was convicted was committed.

C. A committee appointed pursuant to this section shall give such bond, either secured or unsecured, as is required by the court and shall be subject to all applicable provisions of Title 26.

D. A person for whom a committee is appointed pursuant to this section is not thereby deprived of the capacity to make a will and, unless and until a committee is appointed, such person shall continue to have the same capacity, rights, powers, and authority over his estate, affairs, and property that he had prior to such conviction and sentencing.