

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 64.1-49.1, relating to writings*
3 *intended as wills.*

4
5 Approved

[H 3205]

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

7 **1. That the Code of Virginia is amended by adding a section numbered 64.1-49.1 as follows:**

8 *§ 64.1-49.1. Writings intended as wills, etc.*

9 *Although a document, or a writing added upon a document, was not executed in compliance with*
10 *§ 64.1-49 the document or writing shall be treated as if it had been executed in compliance with*
11 *§ 64.1-49 if the proponent of the document or writing establishes by clear and convincing evidence that*
12 *the decedent intended the document or writing to constitute (i) the decedent's will, (ii) a partial or*
13 *complete revocation of the will, (iii) an addition to or an alteration of the will, or (iv) a partial or*
14 *complete revival of his formerly revoked will or of a formerly revoked portion of the will.*

15 *The remedy granted by this section (i) may not be used to excuse compliance with any requirement*
16 *for a testator's signature, except in circumstances where two persons mistakenly sign each other's will,*
17 *or a person signs the self-proving certificate to a will instead of signing the will itself and (ii) is*
18 *available only in proceedings brought in a circuit court under the appropriate provisions of this title,*
19 *filed within one year from the decedent's date of death and in which all interested persons are made*
20 *parties.*

ENROLLED

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