

2008 SESSION

SENATE SUBSTITUTE

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HOUSE BILL NO. 949

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on February 20, 2008)

(Patron Prior to Substitute—Delegate Iaquinto)

A BILL to amend and reenact § 55-401 of the Code of Virginia, relating to acts barring property rights; slayer statute.

Be it enacted by the General Assembly of Virginia:

1. That § 55-401 of the Code of Virginia is amended and reenacted as follows:

§ 55-401. Definitions.

As used in this chapter:

1. "Slayer" shall mean any person (i) who is convicted of the murder *or voluntary manslaughter* of the decedent or, (ii) in the absence of such conviction and where such person has not been acquitted and is not available for prosecution by reason of his death by suicide or otherwise, who is determined by a court of appropriate jurisdiction by a preponderance of the evidence to have ~~murdered~~ *committed one of the offenses listed in subdivision (i) resulting in the death of* the decedent. For the purposes of subdivision (ii), the party seeking to establish that a decedent was ~~murdered~~ *slain* by such person shall have the burden of proof.

2. "Decedent" shall mean any person whose life is so taken.

3. "Property" shall include any real and personal property and any right or interest therein.

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