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HOUSE BILL NO. 763

Offered January 11, 2012

Prefiled January 11, 2012

A BILL to amend and reenact § 64.1-150 of the Code of Virginia, relating to conveyance of real estate; nonresident executors and testamentary trustees.

Patron—Lewis

Referred to Committee for Courts of Justice**Be it enacted by the General Assembly of Virginia:****1. That § 64.1-150 of the Code of Virginia is amended and reenacted as follows:****§ 64.1-150.** When similar conveyances in future valid.

Every such Notwithstanding any other provision of law, any conveyance of real estate within this the Commonwealth as is mentioned in § 64.1-149 made on or after June 30, 1986, by such the executor of a will or the trustee of a testamentary trust established in a will where the will, prior to such sale, has been probated according to the laws of another state shall, without the qualification of the executor or the testamentary trustee in the Commonwealth, be likewise valid and effectual to pass the title of such real estate if the conditions set forth in § 64.1-149 are complied with and in addition thereto an ancillary administrator upon the estate of such decedent has been duly appointed and qualified who shall sign and acknowledge the deed by which such real estate is conveyed provided that (i) the executor or testamentary trustee had duly qualified according to the laws of the state where the will was probated, (ii) the will under which the executor or testamentary trustee acted was duly executed according to the laws of the Commonwealth as a valid will and confers upon the executor or testamentary trustee the power to convey the real estate so conveyed, and (iii) an authenticated copy of such will has been admitted to probate in the Commonwealth in the county or city in which the real estate or any part thereof is situated.

INTRODUCED

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