

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 64.2-534 of the Code of Virginia, relating to administration of estates;*
3 *liability of heir or devisee for real estate conveyed.*

4 [S 1064]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 64.2-534 of the Code of Virginia is amended and reenacted as follows:**8 **§ 64.2-534. Liability of heir or devisee for value of real estate sold and conveyed; validity of**
9 **premature conveyances.**10 A. Any heir or devisee who sells and conveys any real estate that is an asset for the payment of a
11 decedent's debts or lawful demands against his estate pursuant to § 64.2-532 is liable for the value of
12 such real estate, with interest, to those persons entitled to be paid out of the real estate.13 ~~However, the heir or devisee~~ B. *Notwithstanding the provisions of subsection A, the real estate sold*
14 *or conveyed is not liable to such those persons entitled to be paid out of the real estate provided that (i)*
15 *the sale was made more than one year after the death of the decedent, (ii) the conveyance was bona*
16 *fide, and (iii) at the time of such conveyance, no action has been commenced for the administration*
17 *of the real estate and no reports have been filed of the debts and demands of such creditors.*18 ~~B. Notwithstanding the provisions of subsection A, no~~ C. *No sale and conveyance of such real estate*
19 *made by an heir or devisee within one year after the death of the decedent is valid against creditors of*
20 *such decedent, except as otherwise provided in § 64.2-535.*21 ~~C. Any, provided that any~~ *sale and conveyance made within one year after the death of a decedent is*
22 *valid against creditors as if it were made more than one year after the death of the decedent; if no*
23 *action has been commenced for the administration of the real estate and no report of the debts and*
24 *demands has been filed within one year after the death of the decedent.*

ENROLLED

SB1064ER