

2021 SESSION

INTRODUCED

21101805D

SENATE BILL NO. 1123

Offered January 13, 2021

Prefiled December 22, 2020

A BILL to amend the Code of Virginia by adding in Article 5 of Chapter 4 of Title 64.2 a section numbered 64.2-454.1, relating to will contest; presumption of undue influence.

Patron—Obenshain

Referred to Committee on the Judiciary

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 5 of Chapter 4 of Title 64.2 a section numbered 64.2-454.1 as follows:

§ 64.2-454.1. Will contest; presumption of undue influence.

In any case contesting the validity of a decedent's will where a presumption of undue influence arises, the burden of producing evidence and the burden of persuasion as to the factual issue that undue influence was exerted over the testator shall be on the party against whom the presumption operates.

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