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SENATE BILL NO. 554

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on the Judiciary
on February 14, 2022)

(Patron Prior to Substitute—Senator Obenshain)

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.

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 finder of fact shall presume that undue influence was exerted over the decedent unless, based on all the evidence introduced at trial, the finder of fact finds that the decedent did intend it to be his will.

SENATE SUBSTITUTE

SB554S1