

2023 SESSION

INTRODUCED

23103955D

SENATE BILL NO. 1389

Offered January 11, 2023

Prefiled January 11, 2023

A BILL to amend and reenact § 55.1-602 of the Code of Virginia, relating to recordation; address transfer for taxation.

Patron—Lewis

Referred to Committee on the Judiciary

Be it enacted by the General Assembly of Virginia:

1. That § 55.1-602 of the Code of Virginia is amended and reenacted as follows:

§ 55.1-602. Presumption that recorded writings are in proper form; address transfer.

A. A writing that is not properly notarized in accordance with the laws of the Commonwealth shall not invalidate the underlying document; however, any such writing shall not be in proper form for recordation. All recorded writings shall be presumed to be in proper form for recording after having been recorded, and conclusively presumed to be in proper form for recording after having been recorded for a period of three years, except in cases of fraud.

B. Once a writing is recorded, the local treasurer's office shall transfer the address on such recorded writing for state recordation tax purposes pursuant to Chapter 8 (§ 58.1-800 et seq.) of Title 58.1 to the mailing address indicated on such recorded writing, or, if the treasurer determines that the intent of the parties appears questionable, the treasurer shall contact the parties involved to resolve the matter before transferring the address.

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SB1389