

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 37.1-144 of the Code of Virginia, relating to estates of wards.*

3 [H 2530]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 37.1-144 of the Code of Virginia is amended and reenacted as follows:**

7 § 37.1-144. Surrender of ward's estate.

8 The fiduciary shall surrender the ward's estate, or so much as he may be that portion for which he  
9 is accountable for, to the ward, if he shall be if the ward is restored to competence or capacity, or.10 *If the ward dies prior to such restoration, the fiduciary shall surrender the real estate to his the*  
11 *ward's heirs or devisees, and the personal estate to his executors or administrators, in case of his death*  
12 *without having been restored, but nothing. If upon the death of the ward (i) the value of the personal*  
13 *estate in the custody of the fiduciary is \$5,000 or less, (ii) a personal representative has not qualified*  
14 *within sixty days of the ward's death and (iii) the fiduciary does not anticipate that anyone will qualify,*  
15 *the fiduciary may pay the balance of the ward's estate to the ward's surviving spouse, or if there is no*  
16 *surviving spouse, to the distributees of the ward or other persons entitled thereto, including any person*  
17 *or entity entitled to payment for funeral or burial services provided. The distribution shall be noted in*  
18 *the guardian's final accounting submitted to the Commissioner of Accounts.*19 *Nothing in this section or in §§ 37.1-138 to 37.1-142 shall be construed as affecting in any way the*  
20 *provisions of § 37.1-145 relative to supplying comforts and luxuries for persons committed.*

ENROLLED

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