

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 55-7.2, relating to distribution of*
3 *personal property and trusts.*

4 [H 2713]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 55-7.2 as follows:**8 *§ 55-7.2. Personal property and trusts; incorporation by reference.*

9 *If a trust refers to a written statement or list to distribute items of trust tangible personal property*
10 *not otherwise specifically named in the instrument, the statement or list shall be given effect to the*
11 *extent that it describes items of tangible personal property and their intended recipients with reasonable*
12 *certainty and is signed by the maker. The written statement or list may be prepared before or after the*
13 *execution of the trust instrument, may be altered by the maker at any time and may be a writing that*
14 *has no significance apart from its effect on the trust distribution. A trustee shall not be liable for any*
15 *distribution of tangible personal property to the apparent distributee under the trust made without actual*
16 *knowledge of the existence of a written statement or list, nor shall he have any duty to recover property*
17 *so distributed. However, a person named to receive certain tangible personal property in a written*
18 *statement or list which is effective under this section, may recover that property, or its value if the*
19 *property cannot be recovered, from an apparent distributee to whom it has been distributed in an action*
20 *brought for that purpose within one year after the distribution. This section shall not otherwise affect*
21 *the law of incorporation by reference.*

ENROLLED

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