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<div style="text-align: right">**INTRODUCED**</div>

1 **HOUSE BILL NO. 759**
2 Offered January 23, 1998
3 *A BILL to amend and reenact § 64.1-123 of the Code of Virginia, relating to payment of small sums to*
4 *trust.*
5 —————
6 Patron—McClure
7 —————
8 Referred to Committee for Courts of Justice
9 —————
10 **Be it enacted by the General Assembly of Virginia:**
11 **1. That § 64.1-123 of the Code of Virginia is amended and reenacted as follows:**
12 § 64.1-123. Payment of certain small sums due persons upon whose estates there has been no
13 qualification.
14 When there is due a sum of not exceeding $10,000 from the Commonwealth, whether it ~~be~~ *is* a
15 state income tax refund or a sum due on some other account, or when there is due a sum of not
16 exceeding $10,000 from the United States as a pension or money allowed for burial expenses of
17 soldiers, or from benefits resulting from occupational pneumoconiosis, or for any death benefit from any
18 labor union, or from any employer to a deceased employee, upon whose estate there has been no
19 qualification, the Commonwealth, the United States or such employer, or union, or any agency required
20 to provide benefits to such deceased employee, after sixty days from the death of such person to whom
21 such money is due, may pay such sum to his or her surviving ~~consort~~ *spouse*, if any, and if none such,
22 then to the distributees of the decedent under the laws of this Commonwealth whose receipt therefor
23 shall be a full discharge and acquittance to all persons whomsoever on account of such sum.
24 *Any financial institution of the Commonwealth shall release to the decedent's trustee or personal*
25 *representative a sum not exceeding $10,000 whether accrued income or principal, if there has been no*
26 *qualification on the estate of the person to whom such money is due sixty days after the death of such*
27 *person. The financial institution may rely upon an affidavit of the decedent as to the existence of such*
28 *trust or upon an original copy of the will of the decedent. The financial institution shall have no*
29 *liability to any heir or other person pursuant to any action taken pursuant to this section.*

<div style="text-align: right">HB759</div>