WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED

HOUSE BILL No. 212

(By Mr. Waring)

PASSED March 11, 1959

In Effect from Passage

Filed in Office of the Secretary of State
of West Virginia

MARC 19 1959

JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact section five, article four, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the effect of a decree of adoption as to the relations of parent and child and rights of inheritance.

Be it enacted by the Legislature of West Virginia:

That section five, article four, chapter forty-eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 5. Effect of Decree as to Relations of Parents and Child and Rights of Inheritance.—Upon the entry of such decree of adoption, the natural parent or parents, any parent or parents by any previous legal adoption, and the lineal or collateral kindred of any such parent or parents, except any such parent who is the husband
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or wife of the petitioner for adoption, shall be divested
of all legal rights, including the right of inheritance from
or through the adopted child under the statutes of descent
and distribution of this state, and shall be divested of all
obligations in respect to the said adopted child, and the
said adopted child shall be free from all legal obligations,
including obedience and maintenance, in respect to any
such parent or parents. From and after the entry of such
decree of adoption, the adopted child shall be, to all in-
tents and for all purposes, the child of the person or per-
sons so adopting him or her and shall be entitled to all
the rights and privileges and subject to all the obligations
of a natural child of such adopting parent or parents.

For the purpose of descent and distribution, from and
after the entry of such decree of adoption, a legally
adopted child shall inherit from and through the parent
or parents of such child by adoption and from or through
the lineal or collateral kindred of such adopting parent
or parents in the same manner and to the same extent as
though said adopted child were a natural child of such
adopting parent or parents, but such child shall not inherit
from his or her natural parent or parents nor their lineal
or collateral kindred, except that a child legally adopted
by a husband or wife of the natural parent shall inherit
from the natural parent of such child as well as from the
adoptive parent. If a legally adopted child shall die inte-
state, all property, including real and personal, of such
adopted child shall pass, according to the statutes of de-
scent and distribution of this state, to those persons who
would have taken had the decedent been the natural child
of the adopting parent or parents.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the House of Delegates

Takes effect upon passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker, House of Delegates

The within approved this the 18th day of March, 1959.

Governor