

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1963

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**ENROLLED**

SENATE BILL NO. 90

(By Mr. Floyd)

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PASSED March 8, 1963

In Effect 90 days from Passage



Filed in Office of the Secretary of State  
of West Virginia 3-15-63

JOE F. BURDETT  
SECRETARY OF STATE

90  
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**ENROLLED**

**Senate Bill No. 90**

(By MR. FLOYD)

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[Passed March 8, 1963; in effect ninety days from passage.]

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AN ACT to amend and reenact section six, article four, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, providing that a fiduciary of a trust fund averaging annually not more than eight hundred dollars income, the principal of which is not distributable until some future time, shall not be required to account, before time for distribution of the principal, oftener than once every three years unless otherwise directed by the court appointing such fiduciary.

*Be it enacted by the Legislature of West Virginia:*

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

**Section 6. Fiduciaries of Small Estates May Account**

2 **Once in Three Years.**—A fiduciary who is in charge of a  
3 trust fund, the principal of which is not distributable  
4 until some future time, shall not be compellable by a  
5 commissioner of accounts to make statement of his ac-  
6 count, before the time for distribution of principal, oftener  
7 than once in every three years, if he shows to the satis-  
8 faction of such commissioner that the income of the trust  
9 fund in his hands does not average annually more than  
10 eight hundred dollars; nor shall the fiduciary, in such  
11 case, lose his commissions, or suffer any penalties, for  
12 failure to account oftener than herein provided for:  
13 *Provided*, That upon proper application by an interested  
14 party to the court which appointed the fiduciary, and upon  
15 a sufficient and proper showing being made, such court  
16 may order such fiduciary to account at any time.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*C. Ray Parker*  
Chairman Senate Committee

*Edw. L. Randall*  
Chairman House Committee

Originated in the Senate.

Takes effect *70 days from* passage.

*J. Howard Thayer*  
Clerk of the Senate

*C. A. Blankenship*  
Clerk of the House of Delegates

*Howard Robinson*  
President of the Senate

*Julius W. Sigletown*  
Speaker House of Delegates

The within *approved* this the *14<sup>th</sup>* day of *March*, 1963.

*W. M. Baum*  
Governor

