

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1969



ENROLLED

HOUSE BILL No. 769

(By Mr. Speaker, Mr. Borawski,
and Mr. Watson)



PASSED Feb 14, 1969

In Effect Ninety days from Passage



FILED IN THE OFFICE
JOHN D. ROCKEFELLER, IV
SECRETARY OF STATE

THIS DATE 2-20-69

769

ENROLLED
House Bill No. 769

(By MR. SPEAKER, MR. BOIARSKY, AND MR. WATSON)

[Passed February 14, 1969; in effect ninety days from passage.]

AN ACT to amend article one, chapter thirty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section fourteen-a, relating to the abolition of the doctrine of worthier title and the common law rule that a grantor cannot create a limitation in favor of his own heirs or next of kin.

Be it enacted by the Legislature of West Virginia:

That article one, chapter thirty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section fourteen-a, to read as follows:

ARTICLE 1. CREATION OF ESTATES GENERALLY.

§36-1-14a. Doctrine of worthier title and rule that grantor cannot create a limitation in his own heirs or next of kin abolished.

1 Wherever a person, by conveyance inter vivos or by
2 will, purports to create any present or future interest
3 in real or personal property in a class of persons described
4 as his own heirs, next of kin, distributees, or by other
5 words of like import, such heirs, next of kin or other
6 described persons shall take, by purchase and not by
7 descent or distribution, the interest so purported to be
8 created; it being the intent and purpose of this section
9 to completely abolish the rule of law known as the doc-
10 trine of worthier title and the rule of law that a grantor
11 cannot create a limitation in favor of his own heirs or
12 next of kin. This section shall only apply to instruments
13 which become effective after the effective date of this
14 section.

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

William Tompa

 Chairman Senate Committee

Clayton C. Davidson

 Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

James Nease

 Clerk of the Senate

C. A. Blankenship

 Clerk of the House of Delegates

Lee J. Green

 President of the Senate

Gov. F. Brumby

 Speaker House of Delegates

The within *is approved* this the *19th*
 day of *February*, 1969.

Arch A. Shawe Jr.

 Governor



PRESENTED TO THE
GOVERNOR

Date 2/19/69

Time 12:00 noon

RECEIVED

FEB 20 10 25 AM '69

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA