WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1971

ENROLLED

HOUSE BILL No. 1010

(By Mr. STEPTOE AND Mr. HALBRITTER)

PASSED MARCH 8, 1971

In Effect NINETY DAYS FROM Passage
ENROLLED

House Bill No. 1010
(By Mr. Steptoe and Mr. Halbritter)

[Passed March 8, 1971; in effect ninety days from passage.]

AN ACT to amend and reenact section twenty-four-a, article two, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to accounting by personal representatives for certain moneys not capable of payment or distribution at the time of final settlement of estates, and to the payment of such moneys to the general receiver of the circuit court; procedure for the distribution of such moneys under the direction of the circuit court.

Be it enacted by the Legislature of West Virginia:

That section twenty-four-a, article two, 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:
ARTICLE 2. PROOF AND ALLOWANCE OF CLAIMS AGAINST ESTATES OF DECEDE NTS.

§44-2-24a. Accounting for money not disposable at time of settlement.

Notwithstanding any other provision of law, if an estate is otherwise ready for final settlement and the personal representative holds any sum or sums of money necessary for the payment or distribution of any contingent, unliquidated, unmatured or disputed bequest or claim, which cannot be paid or distributed because the whereabouts of the claimant or distributee are unknown, or cannot be paid or distributed for any other reason, he may, with the consent of the commissioner of accounts to whom the estate has been referred, pay such sum or sums to the general receiver of the circuit court in the county in which the estate is being administered. Any such payment, together with a receipt therefor, shall be reflected and shown in said commissioner's final report. After said report is confirmed by the county court, such personal representative shall not be personally liable for any such aforesaid bequest or claim.
Any person entitled to any funds paid to a general receiver of a circuit court pursuant to the provisions of this section may petition the circuit court in a summary proceeding for an order directing the distribution of such funds. Any person believed to have any claim to or interest in said funds shall be made a party defendant to such petition and shall be given such notice of any hearing thereon as the circuit court may direct. The circuit court shall enter an order directing the distribution of said funds to the person or persons entitled thereto. The costs of said proceedings shall be paid from the funds.
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.

Takes effect ninety days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within Approved this the 15th day of April, 1971.

Governor
PRESENTED TO THE
GOVERNOR

Date 3/10/71
Time 2:25 p.m.

OFFICE OF
SECRETARY OF STATE
STATE OF WEST VIRGINIA