

WEST VIRGINIA LEGISLATURE  
REGULAR SESSION, 1971



ENROLLED

HOUSE BILL No. 547

(By Mr. MYLES)



PASSED FEBRUARY 15, 1971

In Effect NINETY DAYS FROM Passage

675



FILED BY THE CLERK  
JOHN D. EDWARDS, JR.  
SECRETARY OF STATE  
THIS DATE 2-22-71

**ENROLLED**  
**House Bill No. 547**  
(By MR. MYLES)

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[Passed February 15, 1971; in effect ninety days from passage.]

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AN ACT to amend and reenact section one, article two, chapter forty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the reference of decedents' estates to commissioners of accounts.

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

That section one, 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 DECEDENTS.**

**§44-2-1. Reference of decedents' estates; proceedings thereon.**

- 1 Upon the qualification of any personal representative,
- 2 the estate of his decedent shall, by order of the county

3 court to be then made, be referred to a commissioner of  
4 accounts for proof and determination of debts and claims,  
5 establishment of their priority, determination of the  
6 amount of the respective shares of the legatees and dis-  
7 tributees, and any other matter necessary and proper for  
8 the settlement of the estate: *Provided*, That in counties  
9 where there are two or more such commissioners, the  
10 estates of decedents shall be referred to such commis-  
11 sioners in rotation, in order that, so far as possible, there  
12 may be an equal division of the work: *Provided, how-*  
13 *ever*, That if and when the personal representative shall  
14 file with the clerk of the county court an appraisement  
15 of the estate, showing its value to be three thousand  
16 dollars or less, then reference to a commissioner of  
17 accounts shall not be necessary, but the personal repre-  
18 sentative shall, within two months from his appointment,  
19 file with the county clerk his report of receipts and dis-  
20 bursements, and, unless some creditor or heir shall within  
21 thirty days thereafter show good cause why the report  
22 is not correct, the personal representative and his bonds-  
23 man shall be discharged.

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

*Russell G. Bruce*  
Chairman Senate Committee

*Phyllis J. Rutledge*  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

*Howard Myers*  
Clerk of the Senate

*Ch Blankenship*  
Clerk of the House of Delegates

*E. Probst*  
President of the Senate

*Sam F. Basore, Jr.*  
Speaker House of Delegates

The within *approved* this the *19th*  
day of *February*, 1971.

*Arch A. Moore, Jr.*  
Governor



PRESENTED TO THE  
GOVERNOR

Date 2/18/71

Time 10:45a.m.