

APPROVED AND SIGNED BY THE GOVERNOR

Date 4-28-81

Time _____

No: 399

WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1981



ENROLLED
Committee Substitute for
SENATE BILL NO. 399

(By Mr. *Huffman*)



PASSED *April 11,* 1981
In Effect *ninety days from* Passage



ENROLLED
COMMITTEE SUBSTITUTE
FOR
Senate Bill No. 399
(Mr. HUFFMAN, *original sponsor*)

[Passed April 11, 1981; in effect ninety days from passage.]

AN ACT to amend and reenact section twenty, article one, chapter thirty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to joint tenants.

Be it enacted by the Legislature of West Virginia:

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

CHAPTER 36. ESTATES IN PROPERTY.

ARTICLE 1. CREATION OF ESTATES GENERALLY.

§36-1-20. When survivorship preserved.

- 1 (a) The preceding section shall not apply to any
2 estate which joint tenants have as executors or trustees,
3 nor to an estate conveyed or devised to persons in their
4 own right, when it manifestly appears from the tenor of
5 the instrument that it was intended that the part of the
6 one dying should then belong to the others. Neither shall
7 it affect the mode of proceeding on any joint judgment or
8 decree in favor of, or on any contract with, two or more,
9 one of whom dies.
- 10 (b) When the instrument of conveyance or ownership
11 in any estate, whether real estate or tangible or intangi-
12 ble personal property, links multiple owners together

13 with the disjunctive "or," such ownership shall be held
14 as joint tenants with the right of survivorship, unless
15 expressly stated otherwise.

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

R. P. Bayler
Chairman Senate Committee

Jonny E. Whitlow
Chairman House Committee

Originated in the Senate.

To take effect ninety days from passage

Joel C. Willis
Clerk of the Senate

V. Blankenship
Clerk of the House of Delegates

Marion P. Starn
President of the Senate

Walter G. Lee, Jr.
Speaker House of Delegates

The within is approved this the 28
day of April, 1981.

John W. Rhyne
Governor



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SECY. OF STATE