

710: 104

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1986

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ENROLLED

SENATE BILL NO. 104

(By Senators s. Sharpe, Cool, et al)

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PASSED March 8, 1986

In Effect July 1, 1986 

**ENROLLED**  
**Senate Bill No. 104**

(BY SENATORS SHARPE, COOK, PALUMBO, COLOMBO, FANNING, BURDETTE,  
AND SHAW)

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[Passed March 8, 1986; to take effect July 1, 1986.]

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AN ACT to amend and reenact article seven, chapter thirty-six of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to enacting the Uniform Transfers to Minors Act; providing for nomination of a custodian; methods of transfer; manner of creating custodial property; care and use of custodial property; powers and liability of custodian; exemptions from liability; removal of custodian; applicability to present gifts; and effective date.

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

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

**ARTICLE 7. UNIFORM TRANSFERS TO MINORS ACT.**

**§36-7-1. Definitions.**

- 1 In this article:
- 2 (1) "Adult" means an individual who has attained the
- 3 age of twenty-one years.
- 4 (2) "Benefit plan" means an employer's plan for the
- 5 benefit of an employee or partner.
- 6 (3) "Broker" means a person lawfully engaged in the
- 7 business of effecting transactions in securities or

8 commodities for the person's own account or for the  
9 account of others.

10 (4) "Conservator" means a person appointed or  
11 qualified by a court to act as general, limited or temporary  
12 guardian of a minor's property or a person legally  
13 authorized to perform substantially the same functions.

14 (5) "Court" means any circuit court.

15 (6) "Custodial property" means (i) any interest in  
16 property transferred to a custodian under this article and  
17 (ii) the income from and proceeds of that interest in  
18 property.

19 (7) "Custodian" means a person so designated under  
20 section nine or a successor or substitute custodian  
21 designated under section eighteen of this article.

22 (8) "Financial institution" means a bank, trust  
23 company, savings institution or credit union, chartered and  
24 supervised under state or federal law.

25 (9) "Legal representative" means the personal  
26 representative or conservator of an individual.

27 (10) "Member of the minor's family" means the minor's  
28 parent, stepparent, spouse, grandparent, brother, sister,  
29 uncle or aunt, whether of the whole or half blood or by  
30 adoption.

31 (11) "Minor" means an individual who has not attained  
32 the age of twenty-one years.

33 (12) "Person" means an individual, corporation,  
34 organization or other legal entity.

35 (13) "Personal representative" means an executor,  
36 administrator, successor, personal representative or special  
37 administrator of a decedent's estate or a person legally  
38 authorized to perform substantially the same functions.

39 (14) "State" includes any state of the United States, the  
40 District of Columbia, the Commonwealth of Puerto Rico  
41 and any territory or possession subject to the legislative  
42 authority of the United States.

43 (15) "Transfer" means a transaction that creates  
44 custodial property under section nine of this article.

45 (16) "Transferor" means a person who makes a transfer  
46 under this article.

47 (17) "Trust company" means a financial institution,  
48 corporation or other legal entity authorized to exercise  
49 general trust powers.

**§36-7-2. Scope and jurisdiction.**

1 (a) This article applies to a transfer that refers to this  
2 article in the designation under subsection (a), section nine,  
3 by which the transfer is made if at the time of the transfer,  
4 the transferor, the minor or the custodian is a resident of  
5 this state or the custodial property is located in this state.  
6 The custodianship so created remains subject to this article  
7 despite a subsequent change in residence of a transferor, the  
8 minor or the custodian, or the removal of custodial property  
9 from this state.

10 (b) A person designated as custodian under this article  
11 is subject to personal jurisdiction in this state with respect  
12 to any matter relating to the custodianship.

13 (c) A transfer that purports to be made and which is  
14 valid under the Uniform Transfers to Minors Act, the  
15 Uniform Gifts to Minors Act or a substantially similar act of  
16 another state is governed by the law of the designated state  
17 and may be executed and is enforceable in this state if at the  
18 time of the transfer, the transferor, the minor or the  
19 custodian is a resident of the designated state or the  
20 custodial property is located in the designated state.

**§36-7-3. Nomination of custodian.**

1 (a) A person having the right to designate the recipient  
2 of property transferable upon the occurrence of a future  
3 event may revocably nominate a custodian to receive the  
4 property for a minor beneficiary upon the occurrence of the  
5 event by naming the custodian followed in substance by the  
6 words: "As custodian for ..... (name of minor)  
7 under the Uniform Transfers to Minors Act." The  
8 nomination may name one or more persons as substitute  
9 custodians to whom the property must be transferred, in the  
10 order named, if the first nominated custodian dies before  
11 the transfer or is unable, declines or is ineligible to serve.  
12 The nomination may be made in a will, a trust, a deed, an  
13 instrument exercising a power of appointment or in a  
14 writing designating a beneficiary of contractual rights  
15 which is registered with or delivered to the payor, issuer or  
16 other obligor of the contractual rights.

17 (b) A custodian nominated under this section must be a  
18 person to whom a transfer of property of that kind may be  
19 made under subsection (a), section nine of this article.

20 (c) The nomination of a custodian under this section  
21 does not create custodial property until the nominating  
22 instrument becomes irrevocable or a transfer to the  
23 nominated custodian is completed under section nine of this  
24 article. Unless the nomination of a custodian has been  
25 revoked, upon the occurrence of the future event the  
26 custodianship becomes effective and the custodian shall  
27 enforce a transfer of the custodial property pursuant to  
28 section nine of this article.

**§36-7-4. Transfer by gift or exercise of power of appointment.**

1 A person may make a transfer by irrevocable gift to, or the  
2 irrevocable exercise of a power of appointment in favor of, a  
3 custodian for the benefit of a minor pursuant to section nine  
4 of this article.

**§36-7-5. Transfer authorized by will or trust.**

1 (a) A personal representative or trustee may make an  
2 irrevocable transfer pursuant to section nine of this article  
3 to a custodian for the benefit of a minor as authorized in the  
4 governing will or trust.

5 (b) If the testator or settlor has nominated a custodian  
6 under section three of this article to receive the custodial  
7 property, the transfer must be made to that person.

8 (c) If the testator or settlor has not nominated a  
9 custodian under section three of this article or all persons so  
10 nominated as custodian die before the transfer or are  
11 unable, decline or are ineligible to serve, the personal  
12 representative or the trustee, as the case may be, shall  
13 designate the custodian from among those eligible to serve  
14 as custodian for property of that kind under subsection (a),  
15 section nine of this article.

**§36-7-6. Other transfer by fiduciary.**

1 (a) Subject to subsection (c), a personal representative  
2 or trustee may make an irrevocable transfer to another  
3 adult or trust company as custodian for the benefit of a  
4 minor pursuant to section nine of this article in the absence  
5 of a will or under a will or trust that does not contain an  
6 authorization to do so.

7 (b) Subject to subsection (c), a conservator may make an  
8 irrevocable transfer to another adult or trust company as

9 custodian for the benefit of the minor pursuant to section  
10 nine of this article.

11 (c) A transfer under subsection (a) or (b) may be made  
12 only if (i) the personal representative, trustee or conservator  
13 considers the transfer to be in the best interest of the minor,  
14 (ii) the transfer is not prohibited by or inconsistent with  
15 provisions of the applicable will, trust agreement or other  
16 governing instrument and (iii) the transfer is authorized by  
17 the court if it exceeds ten thousand dollars in value.

**§36-7-7. Transfer by obligor.**

1 (a) Subject to subsections (b) and (c) of this section, a  
2 person not subject to section five or six of this article who  
3 holds property of or owes a liquidated debt to a minor not  
4 having a conservator may make an irrevocable transfer to a  
5 custodian for the benefit of the minor pursuant to section  
6 nine of this article.

7 (b) If a person having the right to do so under section  
8 three of this article has nominated a custodian under that  
9 section to receive the custodial property, the transfer must  
10 be made to that person.

11 (c) If no custodian has been nominated under section  
12 three of this article, or all persons so nominated as  
13 custodian die before the transfer or are unable, decline or  
14 are ineligible to serve, a transfer under this section may be  
15 made to an adult member of the minor's family or to a trust  
16 company unless the property exceeds ten thousand dollars  
17 in value.

**§36-7-8. Receipt for custodial property.**

1 A written acknowledgement of delivery by a custodian  
2 constitutes a sufficient receipt and discharge for custodial  
3 property transferred to the custodian pursuant to this  
4 article.

**§36-7-9. Manner of creating custodial property and effecting transfer; designation of initial custodian; control.**

1 (a) Custodial property is created and a transfer is made  
2 whenever:

3 (1) An uncertificated security or a certificated security  
4 in registered form is either:

5 (i) Registered in the name of the transferor or an adult  
6 other than the transferor or a trust company, followed in

7 substance by the words: "As custodian for .....  
8 (name of minor) under the West Virginia Uniform Transfers  
9 to Minors Act"; or  
10 (ii) Delivered if in certificated form, or any document  
11 necessary for the transfer of an uncertificated security is  
12 delivered, together with any necessary endorsement to an  
13 adult other than the transferor or to a trust company as  
14 custodian, accompanied by an instrument in substantially  
15 the form set forth in subsection (b).  
16 (2) Money is paid or delivered to a broker or financial  
17 institution for credit to an account in the name of the  
18 transferor or an adult other than the transferor or a trust  
19 company, followed in substance by the words: "As  
20 custodian for ..... (name of minor) under the  
21 West Virginia Uniform Transfers to Minors Act."  
22 (3) The ownership of a life or endowment insurance  
23 policy or annuity contract is either:  
24 (i) Registered with the issuer in the name of the  
25 transferor or an adult other than the transferor or a trust  
26 company, followed in substance by the words: "As  
27 custodian for ..... (name of minor) under the  
28 West Virginia Uniform Transfers to Minors Act"; or  
29 (ii) Assigned in a writing delivered to an adult other  
30 than the transferor or to a trust company whose name in the  
31 assignment is followed in substance by the words: "As  
32 custodian for ..... (name of minor) under the  
33 West Virginia Uniform Transfers to Minors Act."  
34 (4) An irrevocable exercise of a power of appointment or  
35 an irrevocable present right to future payment under a  
36 contract is the subject of a written notification delivered to  
37 the payor, issuer or other obligor that the right is  
38 transferred to the transferor or an adult other than the  
39 transferor or a trust company, whose name in the  
40 notification is followed in substance by the words: "As  
41 custodian for ..... (name of minor) under the  
42 West Virginia Uniform Transfers to Minors Act."  
43 (5) An interest in real property is recorded in the name  
44 of the transferor or an adult other than the transferor or a  
45 trust company, followed in substance by the words: "As  
46 custodian for ..... (name of minor) under the  
47 West Virginia Uniform Transfers to Minors Act."  
48 (6) A certificate of title issued by a department or  
49 agency of a state or of the United States which evidences  
50 title to tangible personal property is either:

51 (i) Issued in the name of the transferor or an adult other  
 52 than the transferor or a trust company, followed in  
 53 substance by the words: "As custodian for .....  
 54 (name of minor) under the West Virginia Uniform Transfers  
 55 to Minors Act"; or

56 (ii) Delivered to an adult other than the transferor or to  
 57 a trust company, endorsed to that person followed in  
 58 substance by the words: "As custodian for .....  
 59 (name of minor) under the West Virginia Uniform Transfers  
 60 to Minors Act"; or

61 (7) An interest in any property not described in  
 62 subdivisions (1) through (6) is transferred to an adult other  
 63 than the transferor or to a trust company by a written  
 64 instrument in substantially the form set forth in subsection  
 65 (b).

66 (b) An instrument in the following form satisfies the  
 67 requirements of paragraph (ii), subdivision (1) and  
 68 subdivision (7) of subsection (a):

69 "TRANSFER UNDER THE WEST VIRGINIA  
 70 UNIFORM TRANSFERS TO MINORS ACT

71 I, ..... (name of transferor or name and  
 72 representative capacity if a fiduciary) hereby transfer to  
 73 ..... (name of Custodian), as Custodian for  
 74 ..... (name of minor) under the  
 75 West Virginia Uniform Transfers to Minors Act, the  
 76 following: (Insert a description of the custodial property  
 77 sufficient to identify it).

78 Dated: .....

79 .....  
 80 (Signature)

81 ..... (name of custodian) acknowledges receipt  
 82 of the property described above as custodian for the minor  
 83 named above under the West Virginia Uniform Transfers to  
 84 Minors Act.

85 Dated: .....

86 .....  
 87 (Signature of Custodian)

88 (c) A transferor shall place the custodian in control of  
 89 the custodial property as soon as practicable.

**§36-7-10. Single custodianship.**

1 A transfer may be made only for one minor, and only one  
 2 person may be the custodian. All custodial property held



3 under this article by the same custodian for the benefit of  
4 the same minor constitutes a single custodianship.

**§36-7-11. Validity and effect of transfer.**

1 (a) The validity of a transfer made in a manner  
2 prescribed in this article is not affected by:

3 (1) Failure of the transferor to comply with subsection  
4 (c), section nine, concerning possession and control;

5 (2) Designation of an ineligible custodian, except  
6 designation of the transferor in the case of property for  
7 which the transferor is ineligible to serve as custodian  
8 under subsection (a), section nine; or

9 (3) Death or incapacity of a person nominated under  
10 section three or designated under section nine as custodian  
11 or the disclaimer of the office by that person.

12 (b) A transfer made pursuant to section nine is  
13 irrevocable, and the custodial property is indefeasibly  
14 vested in the minor, but the custodian has all the rights,  
15 powers, duties and authority provided in this article and  
16 neither the minor nor the minor's legal representative has  
17 any right, power, duty or authority with respect to the  
18 custodial property except as provided in this article.

19 (c) By making a transfer, the transferor incorporates in  
20 the disposition all the provisions of this article and grants to  
21 the custodian, and to any third person dealing with a person  
22 designated as custodian, the respective powers, rights and  
23 immunities provided in this article.

**§36-7-12. Care of custodial property.**

1 (a) A custodian shall:

2 (1) Take control of custodial property;

3 (2) Register or record title to custodial property if  
4 appropriate; and

5 (3) Collect, hold, manage, invest and reinvest custodial  
6 property.

7 (b) In dealing with custodial property, a custodian shall  
8 observe the standard of care that would be observed by a  
9 prudent person dealing with property of another and is not  
10 limited by any other statute restricting investments by  
11 fiduciaries. If a custodian has a special skill or expertise or  
12 is named custodian on the basis of representations of a  
13 special skill or expertise, the custodian shall use that skill or  
14 expertise. However, a custodian, in the custodian's

15 discretion and without liability to the minor or the minor's  
16 estate, may retain any custodial property received from a  
17 transferor.

18 (c) A custodian may invest in or pay premiums on life  
19 insurance or endowment policies on (i) the life of the minor  
20 only if the minor or the minor's estate is the sole beneficiary,  
21 or (ii) the life of another person in whom the minor has an  
22 insurable interest only to the extent that the minor, the  
23 minor's estate or the custodian in the capacity of custodian,  
24 is the irrevocable beneficiary.

25 (d) A custodian at all times shall keep custodial  
26 property separate and distinct from all other property in a  
27 manner sufficient to identify it clearly as custodial property  
28 of the minor. Custodial property consisting of an undivided  
29 interest is so identified if the minor's interest is held as a  
30 tenant in common and is fixed. Custodial property subject  
31 to recordation is so identified if it is recorded, and custodial  
32 property subject to registration is so identified if it is either  
33 registered, or held in an account designated, in the name of  
34 the custodian, followed in substance by the words: "As a  
35 custodian for ..... (name of minor) under the  
36 West Virginia Uniform Transfers to Minors Act."

37 (e) A custodian shall keep records of all transactions  
38 with respect to custodial property, including information  
39 necessary for the preparation of the minor's tax returns,  
40 and shall make them available for inspection at reasonable  
41 intervals by a parent or legal representative of the minor or  
42 by the minor if the minor has attained the age of fourteen  
43 years.

#### **§36-7-13. Powers of custodian.**

1 (a) A custodian, acting in a custodial capacity, has all  
2 the rights, powers and authority over custodial property  
3 that unmarried adult owners have over their own property,  
4 but a custodian may exercise those rights, powers and  
5 authority in that capacity only.

6 (b) This section does not relieve a custodian from  
7 liability for breach of section twelve of this article.

#### **§36-7-14. Use of custodial property.**

1 (a) A custodian may deliver or pay to the minor or  
2 expend for the minor's benefit so much of the custodial

3 property as the custodian considers advisable for the use  
4 and benefit of the minor, without court order and without  
5 regard to (i) the duty or ability of the custodian personally  
6 or of any other person to support the minor, or (ii) any other  
7 income or property of the minor which may be applicable or  
8 available for that purpose.

9 (b) On petition of an interested person or the minor if  
10 the minor has attained the age of fourteen years, the court  
11 may order the custodian to deliver or pay to the minor or  
12 expend for the minor's benefit so much of the custodial  
13 property as the court considers advisable for the use and  
14 benefit of the minor.

15 (c) A delivery, payment or expenditure under this  
16 section is in addition to, not in substitution for, and does not  
17 affect any obligation of a person to support the minor.

**§36-7-15. Custodian's expenses, compensation and bond.**

1 (a) A custodian is entitled to reimbursement from  
2 custodial property for reasonable expenses incurred in the  
3 performance of the custodian's duties.

4 (b) Except for one who is a transferor under section four  
5 of this article, a custodian has a noncumulative election  
6 during each calendar year to charge reasonable  
7 compensation for services performed during that year.

8 (c) Except as provided in subsection (f), section eighteen  
9 of this article, a custodian need not give a bond.

**§36-7-16. Exemption of third person from liability.**

1 A third person in good faith and without court order may  
2 act on the instructions of or otherwise deal with any person  
3 purporting to make a transfer or purporting to act in the  
4 capacity of a custodian and, in the absence of knowledge, is  
5 not responsible for determining:

6 (1) The validity of the purported custodian's  
7 designation;

8 (2) The propriety of, or the authority under this article  
9 for, any act of the purported custodian;

10 (3) The validity or propriety under this article of any  
11 instrument or instructions executed or given either by the  
12 person purporting to make a transfer or by the purported  
13 custodian; or

14 (4) The propriety of the application of any property of  
15 the minor delivered to the purported custodian.

**§36-7-17. Liability to third persons.**

- 1 (a) A claim based on (i) a contract entered into by a  
2 custodian acting in a custodial capacity, (ii) an obligation  
3 arising from the ownership or control of custodial property  
4 or (iii) a tort committed during the custodianship, may be  
5 asserted against the custodial property by proceeding  
6 against the custodian in the custodial capacity, whether or  
7 not the custodian or the minor is personally liable therefor.  
8 (b) A custodian is not personally liable:  
9 (1) On a contract properly entered into in the custodial  
10 capacity unless the custodian fails to reveal that capacity  
11 and to identify the custodianship in the contract; or  
12 (2) For an obligation arising from control of custodial  
13 property or for a tort committed during the custodianship  
14 unless the custodian is personally at fault.  
15 (c) A minor is not personally liable for an obligation  
16 arising from ownership of custodial property or for a tort  
17 committed during the custodianship unless the minor is  
18 personally at fault.

**§36-7-18. Renunciation, resignation, death or removal of  
custodian; designation of successor custodian.**

- 1 (a) A person nominated under section three of this  
2 article or designated under section nine of this article as  
3 custodian may decline to serve by delivering a valid  
4 disclaimer to the person who made the nomination or to the  
5 transferor or the transferor's legal representative. If the  
6 event giving rise to a transfer has not occurred and no  
7 substitute custodian able, willing and eligible to serve was  
8 nominated under section three of this article, the person  
9 who made the nomination may nominate a substitute  
10 custodian under section three of this article; otherwise the  
11 transferor or the transferor's legal representative shall  
12 designate a substitute custodian at the time of the transfer,  
13 in either case from among the persons eligible to serve as  
14 custodian for that kind of property under subsection (a),  
15 section nine. The custodian so designated has the rights of a  
16 successor custodian.  
17 (b) A custodian at any time may designate a trust  
18 company or an adult other than a transferor under section  
19 four as successor custodian by executing and dating an  
20 instrument of designation before a subscribing witness

21 other than the successor. If the instrument of designation  
22 does not contain or is not accompanied by the resignation of  
23 the custodian, the designation of the successor does not take  
24 effect until the custodian resigns, dies, becomes  
25 incapacitated or is removed.

26 (c) A custodian may resign at any time by delivering  
27 written notice to the minor if the minor has attained the age  
28 of fourteen years and to the successor custodian and by  
29 delivering the custodial property to the successor  
30 custodian.

31 (d) If a custodian is ineligible, dies or becomes  
32 incapacitated without having effectively designated a  
33 successor and the minor has attained the age of fourteen  
34 years, the minor may designate as successor custodian, in  
35 the manner prescribed in subsection (b) of this section an  
36 adult member of the minor's family, a conservator of the  
37 minor or a trust company. If the minor has not attained the  
38 age of fourteen years or fails to act within sixty days after  
39 the ineligibility, death or incapacity, the conservator of the  
40 minor becomes successor custodian. If the minor has no  
41 conservator or the conservator declines to act, the  
42 transferor, the legal representative of the transferor or of  
43 the custodian, an adult member of the minor's family or any  
44 other interested person may petition the court to designate  
45 a successor custodian.

46 (e) A custodian who declines to serve under subsection  
47 (a) of this section or resigns under subsection (c) of this  
48 section or the legal representative of a deceased or  
49 incapacitated custodian, as soon as practicable, shall put  
50 the custodial property and records in the possession and  
51 control of the successor custodian. The successor custodian  
52 by action may enforce the obligation to deliver custodial  
53 property and records and becomes responsible for each item  
54 as received.

55 (f) A transferor, the legal representative of a transferor,  
56 an adult member of the minor's family, a guardian of the  
57 person of the minor, the conservator of the minor or the  
58 minor if the minor has attained the age of fourteen years  
59 may petition the court to remove the custodian for cause  
60 and to designate a successor custodian other than a  
61 transferor under section four or to require the custodian to  
62 give appropriate bond.

**§36-7-19. Accounting by and determination of liability of custodian.**

1 (a) A minor who has attained the age of fourteen years,  
2 the minor's guardian of the person or legal representative,  
3 an adult member of the minor's family, a transferor or a  
4 transferor's legal representative may petition the court (i)  
5 for an accounting by the custodian or the custodian's legal  
6 representative; or (ii) for a determination of responsibility,  
7 as between the custodial property and the custodian  
8 personally, for claims against the custodial property unless  
9 the responsibility has been adjudicated in an action under  
10 section seventeen to which the minor or the minor's legal  
11 representative was a party.

12 (b) A successor custodian may petition the court for an  
13 accounting by the predecessor custodian.

14 (c) The court, in a proceeding under this article or in any  
15 other proceeding, may require or permit the custodian or  
16 the custodian's legal representative to account.

17 (d) If a custodian is removed under subsection (f),  
18 section eighteen of this article, the court shall require an  
19 accounting and order delivery of the custodial property and  
20 records to the successor custodian and the execution of all  
21 instruments required for transfer of the custodial property.

**§36-7-20. Termination of custodianship.**

1 The custodian shall transfer in an appropriate manner  
2 the custodial property to the minor or to the minor's estate  
3 upon the earlier of:

4 (1) The minor's attainment of twenty-one years of age  
5 with respect to custodial property transferred under section  
6 four or five of this article;

7 (2) The minor's attainment of majority under the laws of  
8 this state other than this article with respect to custodial  
9 property transferred under sections six or seven of this  
10 article; or

11 (3) The minor's death.

**§36-7-21. Applicability.**

1 This article applies to a transfer within the scope of  
2 section two made after its effective date if:

3 (1) The transfer purports to have been made under the  
4 West Virginia Uniform Gifts to Minors Act; or

5     (2) The instrument by which the transfer purports to  
6 have been made uses in substance the designation “as  
7 custodian under the Uniform Gifts to Minors Act” or “as  
8 custodian under the Uniform Transfers to Minors Act” of  
9 any other state, and the application of this article is  
10 necessary to validate the transfer.

**§36-7-22. Effect on existing custodianships.**

1     (a) Any transfer of custodial property as now defined in  
2 this article made before the effective date of this article is  
3 validated notwithstanding that there was no specific  
4 authority in the West Virginia Uniform Gifts to Minors Act  
5 for the coverage of custodial property of that kind or for a  
6 transfer from that source at the time the transfer was made.

7     (b) This article applies to all transfers made before the  
8 effective date of this article in a manner and form  
9 prescribed in the West Virginia Uniform Gifts to Minors  
10 Act, except insofar as the application impairs  
11 constitutionally vested rights or extends the duration of  
12 custodianships in existence on the effective date of this  
13 article.

14     (c) Sections one and twenty with respect to the age of a  
15 minor for whom custodial property is held under this article  
16 do not apply to custodial property held in a custodianship  
17 that terminated because of the minor’s attainment of the  
18 age of eighteen after the ninth day of June, one thousand  
19 nine hundred seventy-two and before the first day of July,  
20 one thousand nine hundred eighty-six.

**§36-7-23. Uniformity of application and construction.**

1     This article shall be applied and construed to effectuate  
2 its general purpose to make uniform the law with respect to  
3 the subject of this article among states enacting it.

**§36-7-24. Short title.**

1     This article may be cited as the “West Virginia Uniform  
2 Transfers to Minors Act.”

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

*Bruce O. Williams*

Chairman Senate Committee

*Floyd Fullen*

Chairman House Committee

Originated in the Senate.

To take effect July 1, 1986.

*Todd C. Stach*

Clerk of the Senate

*Donald L. Hogg*

Clerk of the House of Delegates

*Don Tonkovich*

President of the Senate

*Joseph P. Allright*

Speaker House of Delegates

The within *Approved* this the *26th*  
*March*  
 day of ..... 1986.

*Richard Pearce Jr.*

Governor



PRESENTED TO THE

GOVERNOR

Date 3/20/86

Time 10:58 a.m.

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