

HOUSE BILL NO. 306  
FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by  
on )

(Patron Prior to Substitute—Delegate Carnegie)

*A BILL to amend and reenact § 64.2-313 of the Code of Virginia, relating to wills and estates; claims to exempt property and allowances.*

SENATE BILL NO. \_\_\_\_\_ HOUSE BILL NO. \_\_\_\_\_

**Be it enacted by the General Assembly of Virginia:**

**1. That § 64.2-313 of the Code of Virginia is amended and reenacted as follows:**

**§ 64.2-313. When and how exempt property and allowances may be claimed.**

Any election to take a family allowance, exempt property, or a homestead allowance shall be made ~~within~~ *no later than one year from after the later of the (i) time of admission of the decedent's death will to probate or (ii) qualification of an administrator of the decedent's intestate estate.* The election shall be made either in person before the court having jurisdiction over probate or administration of the decedent's estate, or by a writing recorded in the court, or the clerk's office thereof, upon such acknowledgment or proof as would authorize a writing to be admitted to record under Chapter 6 (§ 55.1-600 et seq.) of Title 55.1.