

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:

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

11 § 64.2-313. When and how exempt property and allowances may be claimed.

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