

VIRGINIA ACTS OF ASSEMBLY - 2026 SESSION

CHAPTER 870

An Act to amend and reenact § 64.2-454 of the Code of Virginia, relating to appointment of administrator; property damage claims.

[H 1516]

Approved April 13, 2026

Be it enacted by the General Assembly of Virginia:

1. That § 64.2-454 of the Code of Virginia is amended and reenacted as follows:

§ 64.2-454. Appointment of administrator for prosecution of action for personal injury or wrongful death or property damage against or on behalf of estate of deceased resident or nonresident.

An administrator may be appointed in any case in which it is represented that either a civil action for personal injury or death by wrongful act, or both, *or property damage* arising within the Commonwealth is contemplated against or on behalf of the estate or the beneficiaries of the estate of a resident or nonresident of the Commonwealth who has died within or outside the Commonwealth if at least 60 days have elapsed since the decedent's death and an executor or administrator of the estate has not been appointed under § 64.2-500 or 64.2-502, solely for the purpose of prosecution or defense of any such actions, by the clerk of a circuit court. An administrator appointed pursuant to this section may prosecute *and defend* actions for ~~both~~ personal injury ~~and~~, death by wrongful act, *and property damage*.

If a fiduciary has been appointed in a foreign jurisdiction, the fiduciary may qualify as administrator. The appointment of a fiduciary in a foreign jurisdiction shall not preclude a resident or nonresident from qualifying as an administrator for the purposes of maintaining a wrongful death action pursuant to § 8.01-50 or a personal injury action in the Commonwealth.

A resident and nonresident may be appointed as coadministrators.