

Session 110 - (1993-1994)

H 3862 General Bill, By Simrill

A Bill to amend Section 62-5-501, as amended, Code of Laws of South Carolina, 1976, relating to the Probate Code and powers of attorney, so as to provide that a conveyance, transfer, or gift in the name of a principal by the attorney in fact for the exclusive benefit of the attorney in fact or his immediate family members shall be construed as a prima facie violation of the fiduciary duty owed by the attorney in fact to the principal, provide for the burden of proof and standard of evidence for overcoming the presumption of the prima facie violation, and to prohibit and disallow a transaction conducted by an attorney in fact for the exclusive benefit of the attorney in fact or his heirs at law on behalf of an incapacitated principal.

04/06/93 House Introduced and read first time HJ-8

04/06/93 House Referred to Committee on Judiciary HJ-9

05/18/93 House Tabled in committee