

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