

No. 258

AN ACT

Amending the act of May twenty-six, one thousand nine hundred forty-nine (Pamphlet Laws 1828), entitled "An act concerning the investment powers and duties of guardians, committees, trustees, and other fiduciaries, except personal representatives, and prescribing the nature and kind of investments which may be made and retained by such fiduciaries," further prescribing the nature and kind of investments which may be made and retained by fiduciaries.

Fiduciaries
Investment Act
of 1949.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section eight, act of May twenty-six, one thousand nine hundred forty-nine (Pamphlet Laws 1828), known as the "Fiduciaries Investment Act of 1949," is amended to read:

Section 8, act of
May 26, 1949,
P. L. 1828,
amended.

Section 8. Fractional [Interest in Mortgages] *Interests*.—

(a) *Mortgages*. A fractional interest in an obligation naming a fiduciary as the obligee, secured by one or more mortgages, shall be an authorized investment for an estate of which the fiduciary is sole fiduciary or co-fiduciary, if the whole of the obligation would be an authorized investment under the provisions of section seven of this act. Appraisalment of the real estate subject to the lien of such mortgage or mortgages need not be made concurrently with the acquisition of such fractional interest, if (1) *it is fractional interest in a mortgage referred to in clauses (1) and (2) of section seven of this act or* (2) an appraisalment has been made within three years immediately preceding the acquisition, in accordance with the requirements of clause (3) of section seven of this act, and if a person qualified at the time of the acquisition to serve as an appraiser of the real estate shall certify, in a writing to be preserved among the fiduciary's records, that at the date of the acquisition the unpaid principal amount of the obligation does not exceed two-thirds of the fair value of the real estate.

(b) *Government Obligations*. A fractional interest in a government obligation, the whole of which would be an authorized investment under section three of this act, whether it be in bearer form or names the fiduciary as the obligee, shall be an authorized investment for an estate of which the fiduciary is sole fiduciary or co-fiduciary.

Act effective
immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 15th day of December, A. D. 1955.

GEORGE M. LEADER