

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Civil Justice Subcommittee
 2 Representative Driskell offered the following:

Amendment (with title amendment)

5 Remove lines 86-133 and insert:

6 (2) In a probate proceeding, formal notice to a person is
 7 sufficient notice for the court to exercise its in rem ~~to~~
 8 ~~acquire jurisdiction over the person receiving formal notice to~~
 9 ~~the extent of the person's interest in the estate~~ property or in
 10 the decedent's protected homestead. The court does not acquire
 11 personal jurisdiction over a person by service of formal notice.

12 Section 4. The amendment made by this act to s. 731.301,
 13 Florida Statutes, applies to all proceedings pending on or
 14 before, or commenced after, the date this act becomes a law.

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15 Section 5. Paragraph (e) of subsection (2) of section
16 733.212, Florida Statutes, is amended, and paragraph (f) is
17 added to that subsection, to read:

18 733.212 Notice of administration; filing of objections.—

19 (2) The notice shall state:

20 (e) That, unless an extension is granted pursuant to s.
21 732.2135(2), an election to take an elective share must be filed
22 on or before the earlier of the date that is 6 months after the
23 date of service of a copy of the notice of administration on the
24 surviving spouse, or an attorney in fact or a guardian of the
25 property of the surviving spouse, or the date that is 2 years
26 after the date of the decedent's death.

27 (f) That, under certain circumstances and by failing to
28 contest the will, the recipient of the notice of administration
29 may be waiving his or her right to contest the validity of a
30 trust or other writing incorporated by reference into a will.

31
32 -----
33 **T I T L E A M E N D M E N T**

34 Remove lines 2-18 and insert:

35 An act relating to estates and trusts; creating s.
36 731.1065, F.S.; specifying that precious metals are
37 tangible personal property for the purposes of the Florida
38 Probate Code; providing for retroactive application;
39 amending s. 731.201, F.S.; revising the definition of the

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Published On: 12/11/2019 6:18:22 PM

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40 term "property"; amending s. 731.301, F.S.; specifying that
41 formal notice is not sufficient to invoke a court's
42 personal jurisdiction over a person receiving such formal
43 notice; providing applicability; amending s. 733.212, F.S.;
44 revising the required contents of a notice of
45 administration; amending s. 733.610, F.S.;