

By Senator Geller

29-115-99

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A bill to be entitled  
An act relating to probate; amending s.  
732.206, F.S.; providing that the elective  
share of a surviving spouse applies to assets  
held in an inter vivos trust; providing an  
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 732.206, Florida Statutes, is  
amended to read:

732.206 Property entering into computation.--The  
elective share shall be computed by taking into account all  
property of the decedent wherever located which ~~that~~ is  
subject to administration and all assets held in an inter  
vivos trust except real property not located in Florida.

Section 2. This act shall take effect October 1, 1999.

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SENATE SUMMARY

Provides that assets held in an inter vivos trust are  
part of the estate of a deceased spouse for purposes of  
computing the elective share of a surviving spouse.