

704-180AX-06

Bill No. \_\_\_\_\_

Amendment No. \_\_\_\_ (for drafter's use only)

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**Amendment (with title amendment)**

Section 3. Subsection (5) of section 689.21, Florida  
to said section, to read:

under certain nontestamentary instruments or under certain

(5) TIME IN WHICH DISCLAIMER SHALL BE MADE.--A  
for recording  
creation of the interest but, in any event, within 12 months  
creating the interest, or, if the disclaimant is not then  
has not then become indefeasibly fixed both in quality and  
months after the event which would cause her or him so to

1 become finally ascertained and her or his interest to become  
 2 indefeasibly fixed both in quality and quantity. \_\_\_\_\_  
 3 for purposes of this section, the survivorship interest in a  
joint tenancy with rights of survivorship or the deceased  
 5 \_\_\_\_\_  
 6 the survivor succeeds by operation of law upon death of the  
cotenant must be disclaimed within 9 months after the date of  
 8 death of the deceased cotenant.

9 (10) EFFECT OF DISCLAIMER OF TENANCY BY THE ENTIRETY  
 10 PROPERTY.--A disclaimer of an interest in real property held  
 11 as tenants by the entirety shall not cause the disclaimed  
 12 interest to be homestead property for purposes of descent and  
 13 distribution under ss. 732.401 and 732.4015.

14 (11) EXTENT OF DISCLAIMED INTEREST IN TENANCY BY THE  
 15 ENTIRETY PROPERTY.--For the purposes of this section, the  
 16 deceased tenant's interest in tenancy by the entirety property  
 17 shall be deemed to be an undivided one-half interest.

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 20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22 On page 1, line 8, after "exceptions;"

23  
 24 insert:

25 amending s. 689.21, F.S.; revising language  
 26 with respect to the time in which a disclaimer  
 27 of interest in certain property may be made;  
 28 providing for the effect of disclaimer of  
 29 tenancy by the entirety property; providing for  
 30 the extent of disclaimed interest in tenancy by  
 31 the entirety property;