

Bill No. SB 1688

Barcode 965774

CHAMBER ACTION

Senate

House

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

.  
. .  
. .  
. .  
. .  
. .

The Committee on Judiciary (Baker) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 20, line 31,

insert:

Section 8. Section 737.309, Florida Statutes, is created to read:

737.309 Resignation of trustee.--

(1) A trustee may resign:

(a) Upon at least 30 days' written notice to the settlor, if living, all cotrustees, and all persons entitled to a trust accounting pursuant to s. 737.303, as qualified by s. 731.303; or

(b) With approval of the court. In approving a resignation, the court may issue orders and impose conditions reasonably necessary for the protection of the trust property.

(2) Any liability of a resigning trustee or of any sureties on the trustee's bond for acts or omissions of the trustee is not discharged or affected by the trustee's

Bill No. SB 1688

Barcode 965774

1 resignation.

2       (3) If the resignation of a trustee would require the  
3 vacancy to be filled by a successor trustee, a trustee that  
4 resigns shall continue to serve until the successor assumes  
5 the trusteeship. The resigning trustee shall deliver copies of  
6 all notices and other records pertaining to the resignation to  
7 the successor trustee or, if none, to a cotrustee.

8       (4) Notice of resignation shall be served in the  
9 manner provided in the Florida Rules of Civil Procedure  
10 relating to service of pleadings subsequent to the initial  
11 pleading. The notice may be served on a legal representative  
12 or natural guardian of a beneficiary without the filing of any  
13 proceeding or approval of any court.

14  
15 (Redesignate subsequent sections.)

16  
17

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

19 And the title is amended as follows:

20       On page 1, line 30, after the semicolon,

21

22 insert:

23       creating s. 737.309, F.S.; providing procedures  
24       for the resignation of a trustee; providing  
25       that such resignation does not discharge or  
26       affect any liability of the resigning trustee;  
27       providing for notice of resignation;

28  
29  
30  
31