

By Senator Storms

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1 A bill to be entitled
2 An act relating to powers of attorney; amending s.
3 709.2105, F.S.; revising the qualifications of
4 entities that are eligible to act as an agent for a
5 principal to include a not-for-profit corporation that
6 is organized for charitable or religious purposes, was
7 qualified as a court-appointed guardian before a
8 specified date, and is a tax-exempt organization;
9 providing an effective date.

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

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13 Section 1. Section 709.2105, Florida Statutes, is amended
14 to read:

15 709.2105 Qualifications of agent; execution of power of
16 attorney.—

17 (1) The agent must be a natural person who is 18 years of
18 age or older; ~~or~~ a financial institution that has trust powers,
19 has a place of business in this state, and is authorized to
20 conduct trust business in this state; or a not-for-profit
21 corporation that is organized for charitable or religious
22 purposes in this state, was qualified as a court-appointed
23 guardian before January 1, 1996, and is a tax-exempt
24 organization under s. 501(c)(3) of the Internal Revenue Code.

25 (2) A power of attorney must be signed by the principal and
26 by two subscribing witnesses and be acknowledged by the
27 principal before a notary public or as otherwise provided in s.
28 695.03.

29 Section 2. This act shall take effect July 1, 2012.