

FOR CONSIDERATION By the Committee on Judiciary

590-00707-14

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1                                   A bill to be entitled  
2       An act relating to a review under the Open Government  
3       Sunset Review Act; amending s. 733.604, F.S., which  
4       provides exemptions from public records requirements  
5       for the inventories of an estate or elective estate  
6       filed with the clerk of court or the accountings filed  
7       in an estate proceeding; abrogating the scheduled  
8       repeal of the exemptions under the Open Government  
9       Sunset Review Act; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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13       Section 1. Subsection (1) of section 733.604, Florida  
14       Statutes, is amended to read:

15       733.604 Inventories and accountings; public records  
16       exemptions.—

17       (1) (a) Unless an inventory has been previously filed, a  
18       personal representative shall file a verified inventory of  
19       property of the estate, listing it with reasonable detail and  
20       including for each listed item its estimated fair market value  
21       at the date of the decedent's death.

22       (b) 1. Any inventory of an estate, whether initial, amended,  
23       or supplementary, filed with the clerk of the court in  
24       conjunction with the administration of an estate is confidential  
25       and exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
26       Constitution.

27       2. Any inventory of an elective estate, whether initial,  
28       amended, or supplementary, filed with the clerk of the court in  
29       conjunction with an election made in accordance with part II of

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30 chapter 732 is confidential and exempt from s. 119.07(1) and s.  
31 24(a), Art. I of the State Constitution.

32 3. Any accounting, whether interim, final, amended, or  
33 supplementary, filed in an estate proceeding is confidential and  
34 exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
35 Constitution.

36 4. Any inventory or accounting made confidential and exempt  
37 by subparagraph 1., subparagraph 2., or subparagraph 3. shall be  
38 disclosed by the custodian for inspection or copying:

- 39 a. To the personal representative;  
40 b. To the personal representative's attorney;  
41 c. To an interested person as defined in s. 731.201; or  
42 d. By court order upon a showing of good cause.

43 5. These exemptions apply to any inventory or accounting  
44 filed before, on, or after July 1, 2009.

45 ~~6. This paragraph is subject to the Open Government Sunset~~  
46 ~~Review Act in accordance with s. 119.15 and shall stand repealed~~  
47 ~~on October 2, 2014, unless reviewed and saved from repeal~~  
48 ~~through reenactment by the Legislature.~~

49 Section 2. This act shall take effect July 1, 2014.