

The Florida Senate
HOUSE MESSAGE SUMMARY

Prepared By: The Professional Staff of the Committee on Judiciary

[2017h00277.hms.docx]

BILL: CS/CS/HB 277 (CS/CS/CS/SB 206 1st. Eng.)

INTRODUCER: Judiciary Committee; Civil Justice and Claims Subcommittee; and Reps. Grant, J. and White (Rules Committee; Banking and Insurance Committee; Judiciary Committee; and Senators Passidomo and Brandes)

SUBJECT: Electronic Wills

DATE: May 4, 2017

I. Amendments Contained in Message:

House Amendment 1 – 432393 to Senate Amendment 1 – 742124 (directory)
House Amendment 2 – 763047 to Senate Amendment 1 – 742124 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment 1 delays the effective date of several provisions of the Senate delete-all amendment to April 1, 2018, from July 1, 2017. These provisions include those that permit:

- The execution of an electronic will;
- The requirements that certain persons be in each other's presence when executing a will or living will to be satisfied through a live video conference; and
- The execution of a will or living will with an electronic signature.

House Amendment 2 provides that a contractual venue provision between a qualified custodian (a person or entity that stores and electronic will and related documents) and a testator is not valid or enforceable to the extent that the provision requires a specific jurisdiction or venue for any proceeding relating to the probate of an estate or the contest of a will.