

1                   A bill to be entitled  
 2           An act relating to distribution of residual or  
 3           undistributable funds in civil matters; creating s.  
 4           45.085, F.S.; authorizing courts to apply the doctrine  
 5           of cy pres in certain circumstances; providing for  
 6           distribution of funds subject to cy pres distribution;  
 7           providing an effective date.

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

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 11           Section 1. Section 45.085, Florida Statutes, is created to  
 12   read:

13           45.085 Distribution of residual or undistributable funds  
 14   in civil matters.-

15           (1) In all civil matters in any court applying Florida  
 16   law, such court may apply the doctrine of cy pres in the  
 17   distribution of residual or undistributable funds within its  
 18   discretion as deemed appropriate under the circumstances or by  
 19   agreement of the parties.

20           (2) The court has discretion to approve the timing and  
 21   method of distribution of funds subject to cy pres distribution  
 22   and to approve a recipient of such funds, as may be agreed to by  
 23   the parties. Such recipients shall be limited to one or more  
 24   nonprofit, tax-exempt organizations that provide either civil  
 25   legal services to the poor or funding or support for the

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26 | provision of civil legal services to the poor reasonably related  
27 | to the subject matter and purposes of the civil matter involved.

28 |       Section 2. This act shall take effect July 1, 2021.