

ENROLLED

CS/HB 131

2026 Legislature

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 2 An act relating to curators of estates; amending s.
 3 733.501, F.S.; revising the requirements for a court
 4 to appoint a curator of estates; revising bond
 5 requirements for a curator of estates; clarifying who
 6 may subject a curator of estates to removal and
 7 surcharge; requiring a curator to file reports with
 8 the court in specified circumstances; requiring that
 9 certain details be included in such reports; requiring
 10 the court to review such reports; authorizing the
 11 court to require more frequent reporting or additional
 12 documents under certain circumstances; reenacting s.
 13 90.5021(1), F.S., relating to fiduciary lawyer-client
 14 privilege, to incorporate the amendment made to s.
 15 733.501, F.S., in a reference thereto; providing an
 16 effective date.

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

19
 20 Section 1. Section 733.501, Florida Statutes, is amended
 21 to read:

22 733.501 Curators.—

23 (1) APPOINTMENT OF A CURATOR.—When it is necessary, the
 24 court may appoint a curator after formal notice to the person
 25 apparently entitled to letters of administration as follows:

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26 (a) The court may appoint a curator at any time with
 27 notice to other interested persons as the court deems
 28 appropriate. The curator may be authorized to perform any duty
 29 or function of a personal representative.

30 (b) If there is significant ~~great~~ danger that any of the
 31 decedent's property is likely to be wasted, destroyed, or
 32 removed beyond the jurisdiction of the court and if the
 33 appointment of a curator would be delayed by giving notice, the
 34 court may appoint a curator without giving notice to other
 35 interested persons.

36 (c) In any other proper case, the court may appoint a
 37 curator when deemed necessary to protect the interests of the
 38 estate or a decedent's heirs.

39 (2) BOND REQUIREMENTS.—Unless waived by the court,
 40 curators must post a reasonable bond in an amount to ~~shall~~ be
 41 determined by ~~required of the curator as~~ the court ~~deems~~
 42 necessary. However, bonds are not ~~No bond shall be required for~~
 43 ~~of~~ banks and trust companies that serve as curators.

44 (3) COMPENSATION.—Curators are ~~shall be~~ allowed reasonable
 45 compensation for their services, and the court may consider ~~the~~
 46 ~~provisions of s. 733.617.~~

47 (4) REMOVAL AND SURCHARGE.—Curators are ~~shall be~~ subject
 48 to removal and surcharge by the court.

49 (5) COURT REVIEW.—

50 (a) The curator shall file reports with the court when the

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51 court deems it necessary. Such reports must detail the actions
52 taken by the curator in managing the estate. The court shall
53 review such reports to ensure that the curator is effectively
54 managing the estate and fulfilling its duties.

55 (b) The court may require more frequent reporting or
56 additional documentation as it deems necessary to protect the
57 interests of the estate.

58 Section 2. For the purpose of incorporating the amendment
59 made by this act to section 733.501, Florida Statutes, in a
60 reference thereto, subsection (1) of section 90.5021, Florida
61 Statutes, is reenacted to read:

62 90.5021 Fiduciary lawyer-client privilege.—

63 (1) For the purpose of this section, a client acts as a
64 fiduciary when serving as a personal representative or a trustee
65 as defined in ss. 731.201 and 736.0103, an administrator ad
66 litem as described in s. 733.308, a curator as described in s.
67 733.501, a guardian or guardian ad litem as defined in s.
68 744.102, a conservator as defined in s. 710.102, or an attorney
69 in fact as described in chapter 709.

70 Section 3. This act shall take effect July 1, 2026.