

PROPOSED AMENDMENT

SB 287 # 2

DIGEST

Probate and trust matters. Provides that evidence of a testator's failure to use the procedures established in IC 29-1-7-16.5 may not be cited as evidence that a will is not valid. Requires a personal representative or the personal representative's agent to mail certain notices to certain heirs, devisees, and legatees. Provides the court with discretion as to whether a personal representative who is not an Indiana resident is required to execute a bond. Requires a court to set a hearing on a date that is as soon as practicable after a petition for a confidential health disclosure order is filed. Replaces the term "grantor" with "deemed owner" with respect to certain trusts. Makes conforming changes.

- 1 Page 6, line 21, delete "will".
 - 2 Page 7, line 41, after "testator to" insert **"use the procedures or"**.
 - 3 Page 7, line 42, delete "trust" and insert **"will"**.
 - 4 Page 10, line 28, delete "of the decedent's heirs." and insert **"person**
 - 5 **whose name and address is required to be listed in the notice under**
 - 6 **subsection (a)."**
 - 7 Page 11, line 1, after "representative" insert **"at the discretion of**
 - 8 **the court shall"**.
 - 9 Page 15, delete lines 34 through 38, begin a new paragraph and
 - 10 insert:
 - 11 **"(e) In its discretion, the court shall set the hearing required**
 - 12 **under subsection (d) on a date that is as soon as practicable."**
 - 13 Page 23, line 24, delete "grantor's spouse, if living with the grantor;"
 - 14 and insert **"deemed owner's spouse, if living with the deemed**
 - 15 **owner;"**.
 - 16 Page 23, line 26, delete "grantor's:" and insert **"deemed owner's:"**.
 - 17 Page 23, line 32, delete "grantor's" and insert **"deemed owner's"**.
 - 18 Page 23, line 35, delete "grantor" and insert **"deemed owner"**.
 - 19 Page 23, line 41, delete "other trust" and insert **"other trustee"**.
- (Reference is to SB 287 as introduced.)