

PERSONAL REPRESENTATIVE AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gage Froerer

Senate Sponsor: Stephen H. Urquhart

LONG TITLE

General Description:

This bill requires a personal representative to provide a bond when administering the estate of a minor.

Highlighted Provisions:

This bill:

requires a personal representative to provide a bond when administering the estate of a minor and no conservator has been appointed.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

75-3-603, as last amended by Laws of Utah 2015, Chapter 258

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **75-3-603** is amended to read:

75-3-603. Bond not required -- Exceptions.

(1) No bond is required of a personal representative appointed in formal or informal proceedings, except:



28 (a) upon the appointment of a special administrator without notice having been given;

29 (b) when an executor or other personal representative is appointed to administer an
30 estate under a will containing an express requirement of bond;

31 (c) when ~~H~~→ **the court determines it is necessary and** ←~~H~~ an executor or other
31a personal representative is appointed to administer an
32 estate under a will and the ~~H~~→ **sole** ←~~H~~ beneficiary of the estate is a minor ~~H~~→ **or minors** ←~~H~~ ,
32a unless a conservator is appointed

33 under Title 75, Chapter 5, Part 4, Protection of Property of Persons Under Disability and
34 Minors;

35 [~~e~~] (d) when bond is requested prior to appointment, by an interested party; or

36 [~~d~~] (e) when bond is required under Section 75-3-605. No bond is required of any
37 personal representative who is exempted from bond under Title 7, Financial Institutions Act.

38 (2) A bond required pursuant to this section may be dispensed with upon a
39 determination by the court that it is not necessary.

Legislative Review Note
Office of Legislative Research and General Counsel