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AB-1745 Trusts: notifications. (2021-2022)

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Assembly Bill No. 1745

CHAPTER 30

An act to amend Section 16061.8 of the Probate Code, relating to trusts.

[Approved by Governor June 21, 2022. Filed with Secretary of State June 21, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1745, Nguyen. Trusts: notifications.

Existing law generally limits the time period within which a person may bring an action to contest a trust to no more than 120 days from the date the notification by the trustee is served upon the person, or 60 days from the day on which a copy of the terms of the trust is mailed or personally delivered to the person during that 120-day period, whichever is later.

This bill would specify that the 120-day period described above only applies when a revocable trust becomes irrevocable upon the death of a settlor of the trust or because of a contingency related to the death of a settlor of the trust.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 16061.8 of the Probate Code is amended to read:

16061.8. A person upon whom the notification by the trustee is served pursuant to paragraph (1) of subdivision (a) of Section 16061.7, whether the notice is served on the person within or after the time period set forth in subdivision (f) of Section 16061.7, shall not bring an action to contest the trust more than 120 days from the date the notification by the trustee is served upon the person, or 60 days from the date on which a copy of the terms of the trust is delivered pursuant to Section 1215 to the person during that 120-day period, whichever is later.