

Committee on Banking and Insurance

CS/HB 961 — Electronic Noticing of Trust Accounts

by Civil Justice Subcommittee and Rep. Broxson (CS/SB 1314 by Banking and Insurance Committee and Senator Bradley)

The bill provides a mechanism for trustees to provide electronic notices relating to trust accounts. A trustee has a duty to keep beneficiaries of an irrevocable trust reasonably informed of the trust and its administration. Specifically, the trustee must provide beneficiaries with an accounting of the trust at specified periods, disclosure of documents related to the trust, and notice of specific events related to the administration of the trust.

The bill authorizes a trustee to post required documents to a secure website or account if a beneficiary opts in to receiving electronic documents through a secure website or account. The bill also specifies when notice or the delivery of a document by electronic message or posting is complete and presumed received by the intended recipient for purposes of commencing a limitations period for breach of trust claims.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 40-0; House 112-0