

1 A bill to be entitled
2 An act relating to probate, amending s. 732.102, F.S.; relating to the intestate
3 share of the surviving spouse; providing an effective date.
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5 Be It Enacted by the Legislature of the State of Florida:
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7 Section 1. Subsections (2) and (3) of section 732.102, Florida Statutes are amended and a
8 new subsection (4) is added to read:
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10 732.102. Spouse's share of intestate estate.—

11 The intestate share of the surviving spouse is:

12 (1) If there is no surviving descendant of the decedent, the entire intestate estate.

13 (2) If the decedent is survived by one or more descendants ~~there are surviving~~
14 ~~descendants of the decedent~~, all of whom are also ~~lineal~~ descendants of the surviving spouse, and
15 the surviving spouse has no other descendant, the entire intestate estate. ~~the first \$60,000 of the~~
16 ~~intestate estate, plus one-half of the balance of the intestate estate. Property allocated to the~~
17 ~~surviving spouse to satisfy the \$60,000 shall be valued at the fair market value on the date of~~
18 ~~distribution.~~

19 (3) If there are one or more surviving descendants of the decedent, ~~one or more of~~
20 ~~whom~~ who are not ~~lineal~~ descendants of the surviving spouse, one-half the intestate estate.

21 (4) If there are one or more surviving descendants of the decedent, all of whom are
22 also descendants of the surviving spouse, and the surviving spouse has one or more descendants
23 that are not descendants of the decedent, one-half of the intestate estate.
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25 Section 2. This act shall take effect on October 1, 2011.
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