

SB129_L.004

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

SB20-129 be amended as follows:

1 Amend proposed committee amendment (SB129_L.003), page 3, after
2 line 40, insert:

3 "SECTION 5. In Colorado Revised Statutes, 15-10-503, amend
4 (1) as follows:

5 **15-10-503. Power of a court to address the conduct of a**
6 **fiduciary - emergencies - nonemergencies. (1) Emergency situations**
7 **- court action without the requirement of prior notice or hearing. If**
8 **it appears to a court that an emergency exists because a fiduciary's actions**
9 **or omissions pose an imminent risk of substantial harm to a ward's or**
10 **protected person's health, safety, or welfare or to the financial interests of**
11 **an estate, the court may, on its own motion or upon the request of an**
12 **interested person, without a hearing and without following any of the**
13 **procedures authorized by section 15-10-502, order the immediate**
14 **restraint, restriction, or suspension of the powers of the fiduciary; direct**
15 **the fiduciary to appear before the court; or take such further action as the**
16 **court deems appropriate to protect the ward or protected person or the**
17 **assets of the estate. If a court restrains, restricts, or suspends the powers**
18 **of a fiduciary, the court shall set a hearing and direct that notice be given**
19 **pursuant to section 15-10-505. The clerk of the court shall immediately**
20 **note the restraint, restriction, or suspension on the fiduciary's letters, if**
21 **any. Any action for the removal, surcharge, or sanction of a fiduciary**
22 **shall be governed by this section. THE COURT SHALL RULE ON ITS MOTION**
23 **OR THE INTERESTED PERSON'S REQUEST WITHIN FOURTEEN DAYS AFTER**
24 **THE MOTION OR REQUEST IS MADE."**

25 Renumber succeeding section accordingly.

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