

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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