

Real Property, Probate and Trust Law Section
2026 Legislation Summary
Bills of Interest Regarding Probate and Trust Law
As of May 23, 2026

Signed by the Governor:

Trustee Settlement and Discharge – HB 895 (2026 Regular Session) – Effective Date: Upon Becoming Law (April 29, 2026)

This bill creates a statutory process allowing trustees to formally settle trust administrations and obtain a discharge from liability, provided they comply with defined disclosure and notice requirements.

Florida Supreme Court’s Workgroup on Uncontested Probate Proceedings – CS/HB 1337 (2026 Regular Session) – Effective Date: July 1, 2026

This bill implements the recommendations of the Florida Supreme Court’s Workgroup on Uncontested Probate Proceedings to improve the efficiency and effectiveness of probate and estate administration, particularly for uncontested and small estates. The bill reduces court involvement while preserving protections for interested parties.

Curators of Estates – CS/HB 131 (2026 Regular Session) – Effective Date: July 1, 2026

This bill increases the number of situations when a court may appoint a curator, as well as providing the court greater discretion regarding the giving of notice. Additionally, anyone serving as a curator, other than banks and trust companies, will be required to post a reasonable bond, unless the bond is waived by the court. Finally, curators will be required to file reports with the court detailing their actions taken in estate management, but only when the court deems it necessary.

Awaiting Governor’s Signature:

Homestead Exemptions – CS/SB 110 (2026 Regular Session) – Effective Date: Upon Becoming Law

This bill clarifies that certain long-term leasehold interests qualify as “legal or beneficial and equitable title” for purposes of Florida’s homestead exemption from ad valorem taxes. It ensures

that a bona fide 98-year or longer residential or condominium lease remains eligible for the exemption, even if the lease includes a provision terminating the leasehold upon the lessee's death. Further, it expressly provides that the statutory amendment is remedial and clarifying in nature.