

1 A bill to be entitled
 2 An act relating to fraudulent transfers; amending s.
 3 726.102, F.S.; defining the term "qualified charity"
 4 for purposes of the Uniform Fraudulent Transfer Act;
 5 amending s. 726.110, F.S.; limiting the period in
 6 which a charitable contribution made to a qualified
 7 charity may be avoided; providing an effective date.

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 9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Subsections (12) and (13) of section 726.102,
 12 Florida Statutes, are renumbered as subsections (13) and (14)
 13 respectively, and subsection (12) is added to that section, to
 14 read:

15 726.102 Definitions.—As used in ss. 726.101-726.112:
 16 (12) "Qualified charity" means an entity described in 26
 17 U.S.C. section 501(c) (3).

18 Section 2. Section 726.110, Florida Statutes, is amended
 19 to read:

20 726.110 Extinguishment of cause of action.—
 21 (1) Except as provided in subsection (2), a cause of action
 22 with respect to a fraudulent transfer or obligation under ss.
 23 726.101-726.112 is extinguished unless action is brought:

24 (a) ~~(1)~~ Under s. 726.105(1) (a), within 4 years after the
 25 transfer was made or the obligation was incurred or, if later,
 26 within 1 year after the transfer or obligation was or could
 27 reasonably have been discovered by the claimant;

28 (b) ~~(2)~~ Under s. 726.105(1) (b) or s. 726.106(1), within 4

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29 | years after the transfer was made or the obligation was
30 | incurred; or

31 | ~~(c)(3)~~ Under s. 726.106(2), within 1 year after the
32 | transfer was made or the obligation was incurred.

33 | (2) Notwithstanding paragraph (1)(b), a cause of action
34 | with respect to a fraudulent transfer or obligation under ss.
35 | 726.101-726.112 is extinguished unless action is brought under
36 | s. 726.105(1)(b) within 2 years after the transfer was made or
37 | the obligation was incurred if the transfer was a charitable
38 | contribution made to a qualified charity and accepted by that
39 | qualified charity in good faith.

40 | Section 3. This act shall take effect upon becoming a law,
41 | and shall apply to any charitable contribution made on or after
42 | that date.