

ASSEMBLY BILL

No. 128

Introduced by Assembly Member Rainey

January 12, 1995

An act to amend Section 7621 of the Probate Code, relating to estates.

LEGISLATIVE COUNSEL'S DIGEST

AB 128, as introduced, Rainey. Estates: bond fee.

Under existing law, every estate administered by the public administrator is charged a bond fee of \$25 plus $\frac{1}{4}$ of 1% of the amount of the estate greater than \$10,000.

This bill would make that bond fee an annual fee.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7621 of the Probate Code is
2 amended to read:

3 7621. (a) Except as otherwise provided in this
4 section, appointment of the public administrator as
5 personal representative shall be made, and letters issued,
6 in the same manner and pursuant to the same procedure
7 as for appointment of and issuance of letters to personal
8 representatives generally.

9 (b) Appointment of the public administrator may be
10 made on the court's own motion, after notice to the public
11 administrator as provided in Section 1220.

1 (c) Letters may be issued to “the public
2 administrator” of the county without naming the public
3 administrator.

4 (d) The public administrator’s oath and official bond
5 are in lieu of the personal representative’s oath and bond.
6 Every estate administered under this chapter shall be
7 charged a *an annual* bond fee in the amount of
8 twenty-five dollars (\$25) plus one-fourth of one percent
9 of the amount of an estate greater than ten thousand
10 dollars (\$10,000). The amount charged is an expense of
11 administration and that amount shall be deposited in the
12 county treasury.

