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AMENDMENTS TO HOUSE BILL NO. 2484 Sponsor: REPRESENTATIVE WHITE

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1 Amend Bill, page 1, line 6, by inserting after "funds" 2 and providing for nonjudicial settlement agreement 3 Amend Bill, page 1, line 12, by striking out "AND (D)" 4 Amend Bill, page 1, line 13, by striking out "ARE" and 5 inserting 6 is 7 Amend Bill, page 1, lines 13 and 14, by striking out "AND THE 8 SECTION IS AMENDED BY ADDING SUBSECTIONS" 9 Amend Bill, page 4, lines 11 through 30; page 5, lines 1 10 through 30; page 6, lines 1 through 3; by striking out all of said lines on said pages 11 12 Amend Bill, page 6, by inserting between lines 4 and 5 13 Section 2. Title 15 is amended by adding a section to read: 14 § 5548.1. Nonjudicial settlement agreement. Notwithstanding section 5547(b) (relating to authority to 15 16 take and hold trust property): 17 (1) Except as expressly provided in the gift instrument\_ and as otherwise provided in paragraph (2), if the donor 18 19 placed restrictions on the use or management of property\_ transferred to a nonprofit corporation, the donor or anyone 20 the donor appointed for the purpose in the gift instrument, 21 or the guardian of the donor's property, the agent under the 22 23 donor's financial power of attorney or the donor's personal 24 representative, together with the nonprofit corporation 25 holding the property, may enter into a binding nonjudicial 26 settlement agreement during calendar years 2020, 2021 and 27 2022, or the nonprofit corporation's fiscal years that end 28 during those calendar years with respect to any matter involving the property, including a restriction. 29 30 (2) A nonjudicial settlement agreement is valid only to

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1	the extent it includes terms and conditions that the court
2	could approve under this chapter or other applicable law, and
3	that the property remains committed to a charitable purpose
4	<u>or purposes.</u>
5	(3) A nonprofit corporation may request, during calendar
6	years 2020, 2021 and 2022, or the nonprofit corporation's
7	fiscal years that end during those calendar years, the court
8	to review a nonjudicial settlement agreement in order to
9	determine whether the agreement contains terms and conditions
10	the court could have approved.
11	(4) A proceeding commenced during calendar years 2020,
12	2021 and 2022, or the nonprofit corporation's fiscal years
13	<u>that end during those calendar years, to enforce a gift</u>
14	<u>instrument related to assets held by a nonprofit corporation</u>
15	for a charitable purpose, whether or not subject to a
16	nonjudicial settlement agreement, may be brought by the donor
17	<u>during the donor's lifetime or at any time by the Office of</u>
18	the Attorney General, by a charitable organization expressly
19	<u>named in the gift instrument and nonjudicial settlement</u>
20	<u>agreement, if applicable, to receive any portion of the</u>
21	<u>assets governed by the gift instrument and nonjudicial</u>
22	settlement agreement, if applicable, or by any other person
23	having standing to do so, which may include anyone appointed
24	<u>in the gift instrument.</u>
25	Amend Bill, page 6, line 5, by striking out "2" and inserting
26	3
27	Amend Bill, page 7, line 28, by striking out "3" and
28	inserting
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