



House of Representatives

General Assembly

File No. 446

February Session, 2000

House Bill No. 5880

House of Representatives, April 5, 2000

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

An Act Concerning The Receipt Or Use Of Property Belonging To A Minor.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 45a-631 of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 (a) A parent of a minor, guardian of the person of a minor or spouse
4 of a minor shall not receive or use any property belonging to the minor
5 in an amount exceeding [five] ten thousand dollars in value unless
6 appointed guardian of the estate of the minor, [. Such] except that such
7 parent, guardian or spouse may hold property as a custodian under
8 the provisions of sections 45a-557 to 45a-560b, inclusive, without being
9 so appointed.

10 (b) A release given by both parents or by the parent who has legal
11 custody of a minor or by the guardian or spouse shall, if the amount
12 does not exceed [five] ten thousand dollars in value, be valid and

13 binding upon the minor.

JUD Committee Vote: Yea 40 Nay 0 JF

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Potential Minimal Revenue Loss (Probate Court Administration Fund - non General Fund)

Affected Agencies: Probate Court (Judicial Department)

Municipal Impact: None

Explanation

State Impact:

Under current law, a parent or guardian must be appointed guardian of a minor's estate by the probate court before using or receiving a minor's property valued at more than \$5,000. Passage of the bill increases this amount to \$10,000 and would result in a potential minimal reduction in the number of applications received by the probate court. The current application fee is \$150. All fees collected by the probate courts are deposited into the Probate Court Administration Fund and are used to pay the expenditures of the probate court system, including judges' salaries.

OLR Bill Analysis

HB 5880

AN ACT CONCERNING THE RECEIPT OR USE OF PROPERTY BELONGING TO A MINOR.**SUMMARY:**

This bill increases from \$5,000 to \$10,000 the amount of a minor's property that his parent, guardian, or spouse can receive or use without being appointed guardian of the minor's estate by the probate court. As under current law, the parent, guardian, or spouse can still hold property as a custodian without being appointed guardian of the minor's estate.

It also makes a release given by both parents, a parent with legal custody, a guardian, or a spouse valid for amounts up to \$10,000 rather than \$5,000.

EFFECTIVE DATE: October 1, 2000

BACKGROUND***Custodians***

Under the Uniform Transfers to Minors Act, a donor transfers property to an adult custodian who manages and distributes the property for a minor until he reaches age 21, at which time the custodianship ends and the custodial property is delivered to the minor.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 40 Nay 0