



General Assembly

January Session, 2005

Raised Bill No. 1348

LCO No. 4717

04717_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT ADOPTING THE CONNECTICUT UNIFORM TRUST CODE.

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

1 Section 1. (NEW) (*Effective January 1, 2006*) Sections 1 to 86,
2 inclusive, of this act may be cited as the "Connecticut Uniform Trust
3 Code".

4 Sec. 2. (NEW) (*Effective January 1, 2006*) Sections 1 to 86, inclusive, of
5 this act apply to express trusts, whether testamentary or inter vivos
6 and whether charitable or noncharitable, and trusts created pursuant
7 to a statute, judgment or decree that requires the trust to be
8 administered in the manner of an express trust.

9 Sec. 3. (NEW) (*Effective January 1, 2006*) As used in sections 1 to 86,
10 inclusive, of this act:

11 (1) "Action", with respect to an act of a trustee, includes a failure to
12 act.

13 (2) "Beneficiary" means a person that (A) has a present or future
14 beneficial interest in a trust, vested or contingent, or (B) in a capacity
15 other than that of trustee, holds a power of appointment over trust

16 property.

17 (3) "Beneficiary surrogate" means a person, other than a trustee,
18 designated by the settlor in the trust instrument to receive notices,
19 information and reports otherwise required to be provided to a current
20 beneficiary under subdivisions (8) and (9) of subsection (b) of section 5
21 of this act.

22 (4) "Charitable trust" means a trust, or portion of a trust, created for
23 a charitable purpose described in section 25 of this act.

24 (5) "Current beneficiary" means a beneficiary who, on the date the
25 beneficiary's qualification is determined, is a distributee or permissible
26 distributee of trust income or principal.

27 (6) "Conservator" means a person appointed by the court to
28 administer the estate of a minor or adult individual and includes a
29 guardian of the estate of a minor.

30 (7) "District" means, for purposes of venue, the district of the court
31 having or accepting jurisdiction over the proceeding.

32 (8) "Environmental law" means a federal, state or local law, rule,
33 regulation or ordinance relating to protection of the environment.

34 (9) "Guardian" means a person appointed by the court to make
35 decisions regarding the support, care, education, health and welfare of
36 a minor or adult individual and includes a conservator of the person of
37 an adult, but does not include a guardian ad litem.

38 (10) "Interests of the beneficiaries" means the beneficial interests
39 provided in the terms of the trust.

40 (11) "Inter vivos trust" means any trust that is not a testamentary
41 trust.

42 (12) "Jurisdiction", with respect to a geographic area, includes a state
43 or country.

44 (13) "Permissible distributee" means a beneficiary who is currently
45 entitled to or eligible to receive a distribution from a trust.

46 (14) "Person" means an individual, corporation, business trust,
47 estate, trust, partnership, limited liability company, association, joint
48 venture, court, government, governmental subdivision, agency or
49 instrumentality, public corporation or any other legal or commercial
50 entity.

51 (15) "Power of withdrawal" means a presently exercisable general
52 power of appointment other than a power exercisable only upon
53 consent of the trustee or a person holding an adverse interest.

54 (16) "Property" means anything that may be the subject of
55 ownership, whether real or personal and whether legal or equitable, or
56 any interest therein.

57 (17) "Qualified beneficiary" means a beneficiary who, on the date the
58 beneficiary's qualification is determined: (A) Is a distributee or
59 permissible distributee of trust income or principal; (B) would be a
60 distributee or permissible distributee of trust income or principal if the
61 interests of the distributees described in subparagraph (A) of this
62 subdivision terminated on such date without causing the trust to
63 terminate; or (C) would be a distributee or permissible distributee of
64 trust income or principal if the trust terminated on such date.

65 (18) "Revocable", as applied to a trust, means revocable by the
66 settlor without the consent of the trustee or a person holding an
67 adverse interest.

68 (19) "Settlor" means a person, including a testator, who creates or
69 contributes property to a trust. If more than one person creates or
70 contributes property to a trust, each person is a settlor of the portion of
71 the trust property attributable to such person's contribution, except to
72 the extent another person has the power to revoke or withdraw such
73 portion.

74 (20) "Spendthrift provision" means a term of a trust that restrains
75 both voluntary and involuntary transfer of a beneficiary's interest.

76 (21) "State" means a state of the United States, the District of
77 Columbia, Puerto Rico, the United States Virgin Islands or any
78 territory or insular possession subject to the jurisdiction of the United
79 States, and includes an Indian tribe or band recognized by federal law
80 or formally acknowledged by a state.

81 (22) "Terms of a trust" or "terms of the trust" means the
82 manifestation of the settlor's intent regarding a trust's provisions as
83 expressed in the trust instrument or as may be established by other
84 evidence that would be admissible in a judicial proceeding.

85 (23) "Testamentary trust" means a trust created under a will or any
86 other trust created, authorized or approved by order of a probate
87 court.

88 (24) "Trust instrument" means an instrument executed by the settlor
89 that contains terms of the trust, including any amendments thereto.

90 (25) "Trustee" includes an original, additional and successor trustee
91 and a cotrustee.

92 Sec. 4. (NEW) (*Effective January 1, 2006*) (a) Subject to subsection (b)
93 of this section, for the purposes of sections 1 to 86, inclusive, of this act,
94 a person has knowledge of a fact if the person (1) has actual
95 knowledge of the fact, (2) has received a notice or notification of the
96 fact, or (3) from all the facts and circumstances known to the person at
97 the time in question, has reason to know the fact.

98 (b) An organization that conducts activities through employees has
99 notice or knowledge of a fact involving a trust only from the time the
100 information was received by an employee having responsibility to act
101 for the trust, or from the time the information would have been
102 brought to the employee's attention if the organization had exercised
103 reasonable diligence. An organization exercises reasonable diligence if

104 it maintains reasonable routines for communicating significant
105 information to the employee having responsibility to act for the trust
106 and there is reasonable compliance with the routines. Reasonable
107 diligence does not require an employee of the organization to
108 communicate information unless the communication is part of the
109 individual's regular duties or the individual knows a matter involving
110 the trust would be materially affected by the information.

111 Sec. 5. (NEW) (*Effective January 1, 2006*) (a) Except as otherwise
112 provided in the terms of the trust, sections 1 to 86, inclusive, of this act
113 govern the duties and powers of a trustee, relations among trustees
114 and the rights and interests of a beneficiary.

115 (b) The terms of a trust prevail over any provision of sections 1 to
116 86, inclusive, of this act except: (1) The requirements for creating a
117 trust; (2) the duty of a trustee to act in good faith and in accordance
118 with the terms and purposes of the trust; (3) the requirement of section
119 24 of this act that a trust have a purpose that is lawful, not contrary to
120 public policy and possible to achieve; (4) the power of the court to
121 modify or terminate a trust under sections 30 to 36, inclusive, of this
122 act; (5) the effect of a spendthrift provision and the rights of certain
123 creditors and assignees to reach a trust as provided in sections 38 to 45,
124 inclusive, of this act; (6) the power of the court under section 51 of this
125 act to require, dispense with, modify or terminate a bond; (7) the
126 power of the court under section 57 of this act to adjust a trustee's
127 compensation specified in the terms of the trust that is unreasonably
128 low or high; (8) with respect to the current beneficiaries of a revocable
129 trust that has become irrevocable who have attained twenty-one years
130 of age, the duty under subdivision (3) of subsection (b) of section 67 of
131 this act to notify them of the existence of the trust, of the identity of the
132 trustee, and of their right to request trustee's reports; (9) with respect
133 to the current beneficiaries of a testamentary trust or an inter vivos
134 trust created pursuant to a court approved settlement who have
135 attained twenty-one years of age, the duties under section 67 of this
136 act; (10) the duty under subdivision (2) of subsection (a) of section 67

137 of this act to respond to the request of a beneficiary of an irrevocable
138 trust for information reasonably related to the administration of a
139 trust; (11) the effect of an exculpatory term under section 78 of this act;
140 (12) the rights under sections 80 to 83, inclusive, of this act of a person
141 other than a trustee or beneficiary; (13) periods of limitation for
142 commencing a judicial proceeding; (14) the power of the court to take
143 such action and exercise such jurisdiction as may be necessary in the
144 interests of justice; (15) the subject-matter jurisdiction of the court and
145 venue for commencing a proceeding as provided in sections 14 and 15
146 of this act; or (16) the provisions of sections 1 to 86, inclusive, of this act
147 specifically dealing with the supervision of testamentary trusts by the
148 court.

149 (c) With respect to one or more of the current beneficiaries, the
150 settlor, in the trust instrument, may waive or modify the duties of the
151 trustee described in subdivisions (8) and (9) of subsection (b) of this
152 section. Such a waiver or modification may be made only by the settlor
153 designating in the trust instrument one or more beneficiary surrogates
154 to receive any notices, information or reports otherwise required under
155 said subdivisions to be provided to the current beneficiaries. If the
156 settlor makes such a waiver or modification, the trustee shall provide
157 such notices, information and reports to the beneficiary surrogates, in
158 lieu of providing them to the current beneficiaries. The beneficiary
159 surrogates shall act in good faith to protect the interests of the current
160 beneficiaries for whom the notices, information or reports are received.
161 A waiver or modification made under this subsection shall be effective
162 for as long as such beneficiary surrogates, or their successor or
163 successors designated in accordance with the terms of the trust
164 instrument, act in such capacity.

165 Sec. 6. (NEW) (*Effective January 1, 2006*) The common law of trusts
166 and principles of equity supplement sections 1 to 86, inclusive, of this
167 act, except to the extent modified by sections 1 to 86, inclusive, of this
168 act or another statute of this state.

169 Sec. 7. (NEW) (*Effective January 1, 2006*) (a) The meaning and effect
170 of the terms of an inter vivos trust are determined by: (1) The law of
171 the jurisdiction designated in the terms of the trust, unless the
172 designation of such jurisdiction's law is contrary to a strong public
173 policy of the jurisdiction having the most significant relationship to the
174 matter at issue; or (2) in the absence of a controlling designation in the
175 terms of the trust, the law of the jurisdiction having the most
176 significant relationship to the matter at issue.

177 (b) The meaning and effect of the terms of a testamentary trust are
178 determined by the law of this state.

179 Sec. 8. (NEW) (*Effective January 1, 2006*) (a) Without precluding other
180 means for establishing a sufficient connection with the designated
181 jurisdiction, terms of a trust designating the principal place of
182 administration are valid and controlling if: (1) A trustee's principal
183 place of business is located in or a trustee is a resident of the
184 designated jurisdiction; or (2) all or part of the administration occurs in
185 the designated jurisdiction.

186 (b) A trustee is under a continuing duty to administer the trust at a
187 place appropriate to its purposes, its administration and the interests
188 of the beneficiaries.

189 (c) The principal place of administration of a testamentary trust
190 shall be (1) in the case of a trust created under a will, in the district in
191 which the settlor's estate was or is being administered, (2) in the case of
192 any other trust created, authorized or approved by order of the
193 Probate Court, in the district in which the court creating the trust is
194 located, or (3) in the case of a trust transferred to this state subject to
195 the continuing supervision of the court, the district in which the
196 trustee's principal place of business is located, where the trustee
197 resides or where all or part of the administration occurs.

198 (d) Without precluding the right of the court to order, approve or
199 disapprove a transfer, the trustee of an inter vivos trust, and the trustee

200 of a testamentary trust with court approval, in furtherance of the duty
201 prescribed by subsection (b) of this section, may transfer the trust's
202 principal place of administration to another state or to a jurisdiction
203 outside of the United States.

204 (e) The trustee of an inter vivos trust shall notify the qualified
205 beneficiaries of a transfer of a trust's principal place of administration
206 not less than sixty days before initiating the transfer. The notice of the
207 transfer shall include: (1) The name of the jurisdiction to which the
208 principal place of administration is to be transferred; (2) the address
209 and telephone number at the new location at which the trustee can be
210 contacted; (3) an explanation of the reasons for the transfer; and (4) the
211 date on which the transfer is anticipated to occur.

212 (f) In connection with a transfer of the trust's principal place of
213 administration, the trustee may transfer some or all of the trust
214 property to a successor trustee designated in the terms of the trust or
215 appointed pursuant to section 53 of this act.

216 Sec. 9. (NEW) (*Effective January 1, 2006*) (a) Notice to a person under
217 sections 1 to 86, inclusive, of this act, or the sending of a document to a
218 person under sections 1 to 86, inclusive, of this act, shall be
219 accomplished in a manner reasonably suitable under the circumstances
220 and likely to result in receipt of the notice or document. Permissible
221 methods of notice or for sending a document include first-class mail,
222 personal delivery, delivery to the person's last-known place of
223 residence or place of business, or a properly directed electronic
224 message, if the person has consented in advance to receive notices or
225 documents by electronic message.

226 (b) Notice otherwise required under sections 1 to 86, inclusive, of
227 this act, or a document otherwise required to be sent under sections 1
228 to 86, inclusive, of this act need not be provided to a person whose
229 identity or location is unknown to and not reasonably ascertainable by
230 the trustee.

231 (c) Notice under sections 1 to 86, inclusive, of this act or the sending
232 of a document under sections 1 to 86, inclusive, of this act may be
233 waived by the person to be notified or to be sent the document.

234 (d) Notice of a judicial proceeding shall be given as provided in any
235 applicable court rules.

236 Sec. 10. (NEW) (*Effective January 1, 2006*) (a) Whenever notice to
237 qualified beneficiaries of a trust is required under sections 1 to 86,
238 inclusive, of this act, the trustee shall also give notice to any other
239 beneficiary who has sent the trustee a request for notice.

240 (b) A charitable organization expressly designated to receive
241 distributions under the terms of a charitable trust has the rights of a
242 qualified beneficiary under sections 1 to 86, inclusive, of this act if the
243 charitable organization, on the date the charitable organization's
244 qualification is being determined: (1) Is a distributee or permissible
245 distributee of trust income or principal; (2) would be a distributee or
246 permissible distributee of trust income or principal upon the
247 termination of the interests of other distributees or permissible
248 distributees then receiving or eligible to receive distributions; or (3)
249 would be a distributee or permissible distributee of trust income or
250 principal if the trust terminated on such date.

251 (c) A person appointed to enforce a trust created for the care of an
252 animal or another noncharitable purpose as provided in section 28 or
253 29 of this act has the rights of a qualified beneficiary under sections 1
254 to 86, inclusive, of this act.

255 Sec. 11. (NEW) (*Effective January 1, 2006*) (a) For the purposes of this
256 section, "interested persons" means persons whose consent would be
257 required in order to achieve a binding settlement were the settlement
258 to be approved by the court.

259 (b) Except as otherwise provided in subsections (c) and (e) of this
260 section, interested persons may enter into a binding nonjudicial

261 settlement agreement with respect to any matter involving an inter
262 vivos trust.

263 (c) A nonjudicial settlement agreement is valid only to the extent it
264 does not violate a material purpose of the trust and includes terms and
265 conditions that could be properly approved by the court under
266 sections 1 to 86, inclusive, of this act or other applicable law.

267 (d) Matters that may be resolved by a nonjudicial settlement
268 agreement include: (1) The interpretation or construction of the terms
269 of the trust; (2) the approval of a trustee's report or accounting; (3)
270 direction to a trustee to refrain from performing a particular act or the
271 grant to a trustee of any necessary or desirable power; (4) the
272 resignation or appointment of a trustee and the determination of a
273 trustee's compensation; (5) transfer of a trust's principal place of
274 administration; and (6) liability of a trustee for an action relating to the
275 trust.

276 (e) A nonjudicial settlement agreement may not modify or terminate
277 an irrevocable trust. Such modification or termination may only be
278 accomplished under the provisions of sections 21 to 37, inclusive, of
279 this act.

280 (f) Any interested person may request the court to approve a
281 nonjudicial settlement agreement, to determine whether the
282 representation as provided in sections 16 to 20, inclusive, of this act
283 was adequate, and to determine whether the agreement contains terms
284 and conditions the court could have properly approved.

285 Sec. 12. (NEW) (*Effective January 1, 2006*) (a) A testamentary trust is
286 subject to continuing judicial supervision. For this purpose, a
287 testamentary trust shall include any trust created under the laws of
288 another jurisdiction, the principal place of administration of which is
289 transferred to this state and expressly made subject to the continuing
290 supervision of the court by the transferring court or document of
291 transfer.

292 (b) The court may intervene in the administration of an inter vivos
293 trust to the extent its jurisdiction is invoked by an interested person or
294 as provided by law.

295 (c) An inter vivos trust is not subject to continuing judicial
296 supervision.

297 (d) A judicial proceeding involving a trust may relate to any matter
298 involving the trust's administration, including, but not limited to, a
299 proceeding to: (1) Request instructions or declare rights; (2) approve a
300 nonjudicial settlement; (3) interpret or construe the terms of a trust; (4)
301 determine the validity of a trust or of any of its terms; (5) approve a
302 trustee's report or accounting or compel a trustee to report or account;
303 (6) direct a trustee to refrain from performing a particular act or grant
304 to a trustee any necessary or desirable power; (7) review the actions of
305 a trustee, including the exercise of a discretionary power; (8) accept the
306 resignation of a trustee; (9) appoint or remove a trustee; (10) determine
307 a trustee's compensation; (11) transfer a trust's principal place of
308 administration or a trust's property to another jurisdiction; (12)
309 determine the liability of a trustee for an action relating to the trust and
310 compel redress of a breach of trust by any available remedy; (13)
311 modify or terminate a trust; (14) combine trusts or divide a trust; (15)
312 determine liability of a trust for debts of a beneficiary and living
313 settlor; or (16) determine liability of a trust for debts, expenses of
314 administration and statutory allowances chargeable against the estate
315 of a deceased settlor.

316 Sec. 13. (NEW) (*Effective January 1, 2006*) (a) By accepting the
317 trusteeship of a trust having its principal place of administration in this
318 state, or by moving the principal place of administration to this state,
319 the trustee submits personally to the jurisdiction of the courts of this
320 state regarding any matter involving the trust.

321 (b) With respect to their interests in the trust, the beneficiaries of a
322 trust having its principal place of administration in this state are
323 subject to the jurisdiction of the courts of this state regarding any

324 matter involving the trust. By accepting a distribution from such a
325 trust, the recipient submits personally to the jurisdiction of the courts
326 of this state regarding any matter involving the trust.

327 (c) This section does not preclude other methods of obtaining
328 jurisdiction over a trustee, beneficiary or other person receiving
329 property from the trust.

330 Sec. 14. (NEW) (*Effective January 1, 2006*) (a) The Probate Court has
331 exclusive jurisdiction of proceedings in this state brought by a trustee
332 or beneficiary concerning the administration of a testamentary trust.

333 (b) The Probate Court and the Superior Court have concurrent
334 jurisdiction of other proceedings involving a trust.

335 Sec. 15. (NEW) (*Effective January 1, 2006*) (a) Venue for a judicial
336 proceeding in the Superior Court shall be as provided in chapter 890 of
337 the general statutes.

338 (b) (1) Except as otherwise provided in subsection (c) of this section,
339 venue for a judicial proceeding in a court of probate involving an inter
340 vivos trust is, in the following order of priority: (A) In the district of
341 this state in which the trust's principal place of administration is or will
342 be located; (B) in the district of this state where any trustee resides or
343 has a principal place of business; or (C) in the district of this state
344 where the settlor's estate was or is being administered.

345 (2) Except as otherwise provided in subsection (c) of this section,
346 venue for a judicial proceeding involving a testamentary trust is in the
347 district of this state in which the trust's principal place of
348 administration is located.

349 (c) (1) If an inter vivos trust has no trustee, venue for a judicial
350 proceeding for the appointment of a trustee shall be, in the following
351 order of priority: (A) In a district of this state in which a beneficiary
352 resides; (B) in a district of this state in which any trust property is
353 located; or (C) in the district of this state in which the trust's principal

354 place of administration is located.

355 (2) If a testamentary trust has no trustee, venue for a judicial
356 proceeding for the appointment of a trustee shall be in the district of
357 this state in which the trust's principal place of administration is
358 located.

359 (d) A judicial proceeding other than one described in subsection (b)
360 or (c) of this section shall be commenced in accordance with the rules
361 of venue applicable to civil actions.

362 Sec. 16. (NEW) (*Effective January 1, 2006*) (a) Notice to a person who
363 may represent and bind another person under sections 16 to 20,
364 inclusive, of this act has the same effect as if notice were given directly
365 to such other person.

366 (b) The consent of a person who may represent and bind another
367 person under sections 16 to 20, inclusive, of this act is binding on the
368 person represented unless the person represented objects to the
369 representation before the consent would otherwise have become
370 effective.

371 (c) Except as otherwise provided in sections 31 and 47 of this act, a
372 person who, pursuant to sections 16 to 20, inclusive, of this act may
373 represent a settlor who lacks capacity may receive notice and give a
374 binding consent on the settlor's behalf.

375 (d) A settlor may not represent or bind a beneficiary under sections
376 16 to 20, inclusive, of this act with respect to the termination or
377 modification of a trust under subsection (a) of section 31 of this act.

378 (e) Notwithstanding any provision of the general statutes, sections
379 16 to 20, inclusive, of this act shall apply to all judicial proceedings and
380 all nonjudicial settlements, agreements or actions under sections 1 to
381 86, inclusive, of this act and under any other provisions of the general
382 statutes pertaining to trust matters.

383 (f) For the purposes of this section, "represent" shall not be
384 construed to permit a person who has not been admitted as an
385 attorney pursuant to section 51-80 of the general statutes to serve as
386 legal counsel for any other person in any matter arising under sections
387 1 to 86, inclusive, of this act.

388 Sec. 17. (NEW) (*Effective January 1, 2006*) To the extent there is no
389 conflict of interest between the holder of a power of appointment and
390 the persons represented with respect to the particular question or
391 dispute: (1) The sole holder or all coholders of any power of
392 appointment, whether or not presently exercisable, shall represent the
393 potential appointees; and (2) the sole holder or all coholders of a power
394 of revocation or a general power of appointment, including one in the
395 form of a power of amendment, shall also represent the takers in
396 default of the exercise thereof.

397 Sec. 18. (NEW) (*Effective January 1, 2006*) To the extent there is no
398 conflict of interest between the representative and the person
399 represented or among those being represented with respect to a
400 particular question or dispute: (1) A conservator may represent and
401 bind the estate that the conservator controls; (2) a guardian may
402 represent and bind the ward if a conservator of the ward's estate has
403 not been appointed; (3) an agent having authority to do so may
404 represent and bind the principal; (4) a trustee may represent and bind
405 the beneficiaries of the trust; (5) an executor or administrator of a
406 decedent's estate may represent and bind persons interested in the
407 estate; and (6) if a conservator or guardian has not been appointed, a
408 parent may represent and bind the parent's minor or unborn child.

409 Sec. 19. (NEW) (*Effective January 1, 2006*) Unless otherwise
410 represented, a minor, an incapacitated or unborn individual, or a
411 person whose identity or location is unknown and not reasonably
412 ascertainable, may be represented by and bound by another person
413 having a substantially identical interest with respect to the particular
414 question or dispute, but only to the extent there is no conflict of

415 interest between the representative and the person being represented.

416 Sec. 20. (NEW) (*Effective January 1, 2006*) (a) If the court determines
417 that an interest is not represented pursuant to sections 16 to 20,
418 inclusive, of this act, or that the otherwise available representation
419 might be inadequate, the court may appoint a guardian ad litem to
420 receive notice, give consent, and otherwise represent, bind and act on
421 behalf of a minor, an incapacitated or unborn individual, or a person
422 whose identity or location is unknown. A guardian ad litem may be
423 appointed to represent several persons or interests.

424 (b) A guardian ad litem may act on behalf of the individual
425 represented with respect to any matter arising under sections 1 to 86,
426 inclusive, of this act, whether or not a judicial proceeding concerning
427 the trust is pending.

428 (c) In making decisions in any matter, a guardian ad litem may
429 consider general benefit accruing to the living members of the
430 individual's family.

431 Sec. 21. (NEW) (*Effective January 1, 2006*) A trust may be created by:
432 (1) Transfer of property to another person as trustee during the
433 settlor's lifetime or by will or other disposition taking effect upon the
434 settlor's death; (2) declaration by the owner of property that the owner
435 holds identifiable property as trustee; or (3) exercise of a power of
436 appointment in favor of a trustee.

437 Sec. 22. (NEW) (*Effective January 1, 2006*) (a) A trust is created only if:
438 (1) The settlor has capacity to create a trust; (2) the settlor indicates an
439 intention to create the trust; (3) the trust has a definite beneficiary or is
440 (A) a charitable trust, (B) a trust for the care of an animal, as provided
441 in section 28 of this act, or (C) a trust for a noncharitable purpose, as
442 provided in section 29 of this act; and (4) the trustee has duties to
443 perform.

444 (b) A beneficiary is definite if the beneficiary can be ascertained now

445 or in the future, subject to any applicable rule against perpetuities.

446 (c) A power in a trustee to select a beneficiary from an indefinite
447 class is valid. If the power is not exercised within a reasonable time,
448 the power fails and the property subject to the power passes to the
449 persons who would have taken the property had the power not been
450 conferred.

451 Sec. 23. (NEW) (*Effective January 1, 2006*) An inter vivos trust is
452 validly created if its creation complies with the law of the jurisdiction
453 in which the trust instrument was executed, or the law of the
454 jurisdiction in which, at the time of creation: (1) The settlor was
455 domiciled, had a place of abode or was a national; (2) a trustee was
456 domiciled or had a place of business; or (3) any trust property was
457 located.

458 Sec. 24. (NEW) (*Effective January 1, 2006*) A trust may be created only
459 to the extent its purposes are lawful, not contrary to public policy and
460 possible to achieve.

461 Sec. 25. (NEW) (*Effective January 1, 2006*) (a) A charitable trust may
462 be created for the relief of poverty, the advancement of education or
463 religion, the promotion of health, governmental or municipal purposes
464 or other purposes the achievement of which is beneficial to the
465 community.

466 (b) If the terms of a charitable trust do not indicate a particular
467 charitable purpose or beneficiary, the court may select one or more
468 charitable purposes or beneficiaries. The selection shall be consistent
469 with the settlor's intention to the extent it can be ascertained.

470 (c) The settlor of a charitable trust, among others, may maintain a
471 proceeding to enforce the trust.

472 Sec. 26. (NEW) (*Effective January 1, 2006*) A trust is void to the extent
473 its creation was induced by fraud, duress or undue influence.

474 Sec. 27. (NEW) (*Effective January 1, 2006*) Except as required by any
475 provision of the general statutes other than sections 1 to 86, inclusive,
476 of this act, a trust need not be evidenced by a trust instrument, but the
477 creation of an oral trust and its terms may be established only by clear
478 and convincing evidence.

479 Sec. 28. (NEW) (*Effective January 1, 2006*) (a) A trust may be created
480 to provide for the care of an animal alive during the settlor's lifetime.
481 The trust terminates upon the death of the animal or, if the trust was
482 created to provide for the care of more than one animal alive during
483 the settlor's lifetime, upon the death of the last surviving animal.

484 (b) A trust authorized by this section may be enforced by a person
485 appointed in the terms of the trust or, if no person is so appointed, by a
486 person appointed by the court. A person having an interest in the
487 welfare of the animal may request the court to appoint a person to
488 enforce the trust or to remove a person appointed.

489 (c) Property of a trust authorized by this section may be applied
490 only to its intended use, except to the extent the court determines that
491 the value of the trust property exceeds the amount required for the
492 intended use. Except as otherwise provided in the terms of the trust,
493 property not required for the intended use shall be distributed to the
494 settlor, if then living, otherwise to the settlor's successors in interest.

495 Sec. 29. (NEW) (*Effective January 1, 2006*) Except as provided by
496 section 28 of this act or by any provision of the general statutes, the
497 following rules apply:

498 (1) A trust may be created for a noncharitable purpose without a
499 definite or definitely ascertainable beneficiary or for a noncharitable
500 but otherwise valid purpose to be selected by the trustee. The trust
501 may not be enforced for more than ninety years.

502 (2) A trust authorized by this section may be enforced by a person
503 appointed in the terms of the trust or, if no person is so appointed, by a

504 person appointed by the court.

505 (3) Property of a trust authorized by this section may be applied
506 only to its intended use, except to the extent the court determines that
507 the value of the trust property exceeds the amount required for the
508 intended use. Except as otherwise provided in the terms of the trust,
509 property not required for the intended use shall be distributed to the
510 settlor, if then living, otherwise to the settlor's successors in interest.

511 Sec. 30. (NEW) (*Effective January 1, 2006*) (a) In addition to the
512 methods of termination prescribed by sections 31 to 34, inclusive, of
513 this act, a trust terminates to the extent the trust is revoked or expires
514 pursuant to its terms, no purpose of the trust remains to be achieved,
515 or the purposes of the trust have become unlawful, contrary to public
516 policy or impossible to achieve.

517 (b) A proceeding to approve or disapprove a proposed modification
518 or termination under sections 31 to 36, inclusive, of this act, or trust
519 combination or division under section 37 of this act, may be
520 commenced by a trustee or beneficiary. A proceeding to approve or
521 disapprove a proposed modification or termination under section 31 of
522 this act, may be commenced by the settlor. The settlor of a charitable
523 trust may maintain a proceeding to modify the trust under section 33
524 of this act.

525 Sec. 31. (NEW) (*Effective January 1, 2006*) (a) If, upon petition, the
526 court finds that the settlor and all beneficiaries consent to the
527 modification or termination of a noncharitable irrevocable trust, the
528 court shall approve the modification or termination even if the
529 modification or termination is inconsistent with a material purpose of
530 the trust. A settlor's power to consent to a trust's modification or
531 termination may be exercised by (1) an agent pursuant to a power of
532 attorney only to the extent expressly authorized by the power of
533 attorney or the terms of the trust, (2) the settlor's conservator with the
534 approval of the court supervising the conservatorship if an agent is not
535 so authorized, or (3) the settlor's guardian with the approval of the

536 court supervising the guardianship, if an agent is not so authorized
537 and a conservator has not been appointed. This subsection does not
538 apply to irrevocable trusts created before or to revocable trusts that
539 become irrevocable before the effective date of this section.

540 (b) A noncharitable irrevocable trust may be terminated or modified
541 upon consent of all of the beneficiaries if the court concludes that the
542 termination or modification is not inconsistent with a material purpose
543 of the trust and the probable intent of the settlor.

544 (c) For the purposes of this section, a spendthrift provision in the
545 terms of the trust is not presumed to constitute a material purpose of
546 the trust. In determining whether a spendthrift provision is a material
547 purpose of a trust for purposes of modification or termination of the
548 trust, the court shall consider the settlor's intent and the facts and
549 circumstances surrounding the creation of the trust.

550 (d) Upon termination of a trust pursuant to subsections (a) or (b) of
551 this section, the trustee shall distribute the trust property as agreed by
552 the parties consenting to the termination of the trust.

553 (e) If not all of the beneficiaries consent to a proposed modification
554 or termination of the trust pursuant to subsections (a) or (b) of this
555 section, the modification or termination may be approved by the court
556 if the court is satisfied that: (1) If all of the beneficiaries had consented,
557 the trust could have been modified or terminated under this section;
558 and (2) the interests of a beneficiary who does not consent will be
559 adequately protected.

560 Sec. 32. (NEW) (*Effective January 1, 2006*) (a) The court may modify
561 the administrative or dispositive terms of a trust or terminate the trust
562 if, because of circumstances not anticipated by the settlor, modification
563 or termination will further the purposes of the trust. To the extent
564 practicable, the modification shall be made in accordance with the
565 settlor's probable intention.

566 (b) The court may modify the administrative terms of a trust if
567 continuation of the trust on its existing terms would be impracticable
568 or wasteful or impair the trust's administration.

569 (c) Upon termination of a trust under this section, the trustee shall
570 distribute the trust property in a manner consistent with the purposes
571 of the trust.

572 Sec. 33. (NEW) (*Effective January 1, 2006*) (a) Except as otherwise
573 provided in subsection (b) of this section, if a particular charitable
574 purpose becomes unlawful, impracticable, impossible to achieve or
575 wasteful: (1) The trust does not fail, in whole or in part; (2) the trust
576 property does not revert to the settlor or the settlor's successors in
577 interest; and (3) the court may apply cy pres to modify or terminate the
578 trust by directing that the trust property be applied or distributed, in
579 whole or in part, in a manner consistent with the settlor's charitable
580 purposes.

581 (b) A provision in the terms of a charitable trust that would result in
582 distribution of the trust property to a noncharitable beneficiary
583 prevails over the power of the court under subsection (a) of this section
584 to apply cy pres to modify or terminate the trust only if, when the
585 provision takes effect: (1) The trust property is to revert to the settlor
586 and the settlor is still living; or (2) fewer than twenty-one years have
587 elapsed since the date of the trust's creation.

588 Sec. 34. (NEW) (*Effective January 1, 2006*) (a) If trust property has a
589 total value less than fifty thousand dollars and after notice to the
590 qualified beneficiaries, the trustee of a testamentary noncharitable trust
591 who obtains court approval, or the trustee of an inter vivos
592 noncharitable trust, with or without court approval, may terminate the
593 trust if such trustee concludes that the termination is not inconsistent
594 with the probable intent of the settlor and the value or character of the
595 trust property is insufficient or inappropriate to justify the cost of
596 administration.

597 (b) The court may modify or terminate a trust or remove the trustee
598 and appoint a different trustee if it determines that the value or
599 character of the trust property is insufficient or inappropriate to justify
600 the cost of administration.

601 (c) Upon termination of a trust under this section, the trustee shall
602 distribute the trust property in a manner consistent with the purposes
603 of the trust.

604 (d) This section does not apply to an easement for conservation or
605 preservation.

606 Sec. 35. (NEW) (*Effective January 1, 2006*) The court may reform the
607 terms of a trust, even if unambiguous, to conform the terms to the
608 settlor's intention if it is proven by clear and convincing evidence that
609 both the settlor's intent and the terms of the trust were affected by a
610 mistake of fact or law, whether in expression or inducement.

611 Sec. 36. (NEW) (*Effective January 1, 2006*) To achieve the settlor's tax
612 objectives, the court may modify the terms of a trust in a manner that
613 is not contrary to the settlor's probable intention. The court may
614 provide that the modification has retroactive effect.

615 Sec. 37. (NEW) (*Effective January 1, 2006*) After notice to the qualified
616 beneficiaries, a trustee may combine two or more trusts into a single
617 trust or divide a trust into two or more separate trusts, if the result
618 does not impair rights of any beneficiary or adversely affect
619 achievement of the purposes of the trust.

620 Sec. 38. (NEW) (*Effective January 1, 2006*) To the extent a beneficiary's
621 interest is not subject to a spendthrift provision, except as otherwise
622 provided in sections 38 to 45, inclusive, of this act, the court may
623 authorize a creditor or assignee of the beneficiary to reach the
624 beneficiary's interest by attachment of present or future distributions
625 to or for the benefit of the beneficiary. The court may limit the award
626 to such relief as is appropriate under the circumstances, provided, the

627 court may not grant relief beyond the attachment of present or future
628 distributions.

629 Sec. 39. (NEW) (*Effective January 1, 2006*) (a) A spendthrift provision
630 is valid only if it restrains both voluntary and involuntary transfer of a
631 beneficiary's interest. A provision in the terms of the trust permitting
632 the voluntary transfer of a beneficiary's interest, but only with the
633 consent of another person or entity, including the trustee, specified in
634 the terms of the trust, shall be deemed to be an acceptable restraint on
635 voluntary transfer.

636 (b) A term of a trust providing that the interest of a beneficiary is
637 held subject to a "spendthrift trust", or words of similar import, is
638 sufficient to restrain both voluntary and involuntary transfer of the
639 beneficiary's interest.

640 (c) A beneficiary may not transfer an interest in a trust in violation
641 of a valid spendthrift provision and, except as otherwise provided in
642 sections 38 to 45, inclusive, of this act, a creditor or assignee of the
643 beneficiary may not reach the interest or a distribution by the trustee
644 before its receipt by the beneficiary.

645 (d) A spendthrift provision is valid even though a beneficiary is
646 named as the sole trustee or as a cotrustee of the trust.

647 Sec. 40. (NEW) (*Effective January 1, 2006*) (a) For the purposes of this
648 section, "child" includes any person for whom an order or judgment
649 for child support has been entered in this or another state.

650 (b) Even if a trust contains a spendthrift provision, a beneficiary's
651 child who has a judgment or court order against the beneficiary for
652 support or maintenance may obtain from a court an order attaching
653 present or future distributions to or for the benefit of the beneficiary.

654 Sec. 41. (NEW) (*Effective January 1, 2006*) (a) For the purposes of this
655 section, "child" includes any person for whom an order or judgment
656 for child support has been entered in this or another state.

657 (b) Except as otherwise provided in subsection (c) of this section,
658 whether or not a trust contains a spendthrift provision, a creditor of a
659 beneficiary may not compel a distribution that is subject to the trustee's
660 discretion, even if: (1) The discretion is expressed in the form of a
661 standard of distribution; or (2) the trustee has abused the discretion.

662 (c) To the extent a trustee has not complied with a standard of
663 distribution or has abused a discretion: (1) A distribution may be
664 ordered by the court to satisfy a judgment or court order against the
665 beneficiary for support or maintenance of the beneficiary's child; and
666 (2) the court may direct the trustee to pay to the child only such
667 amount as is equitable under the circumstances, but in no event more
668 than the amount the trustee would have been required to distribute to
669 or for the benefit of the beneficiary had the trustee complied with the
670 standard or not abused the discretion.

671 (d) This section does not limit the right of a beneficiary to maintain a
672 judicial proceeding against a trustee for an abuse of discretion or
673 failure to comply with a standard for distribution.

674 (e) With respect to the powers set forth in section 45 of this act, the
675 provisions of this section shall apply even though the beneficiary is the
676 sole trustee or a cotrustee of the trust.

677 Sec. 42. (NEW) (*Effective January 1, 2006*) (a) Whether or not the
678 terms of a trust contain a spendthrift provision, the following rules
679 apply:

680 (1) During the lifetime of the settlor, the property of a revocable
681 trust is subject to claims of the settlor's creditors.

682 (2) With respect to an irrevocable trust, a creditor or assignee of the
683 settlor may reach the maximum amount that can be distributed to or
684 for the benefit of the settlor. If a trust has more than one settlor, the
685 amount the creditor or assignee of a particular settlor may reach may
686 not exceed the settlor's interest in the portion of the trust attributable to

687 such settlor's contribution.

688 (3) After the death of a settlor, and subject to the settlor's right to
689 direct the source from which liabilities will be paid, except as
690 otherwise provided in section 45a-472 of the general statutes, the
691 property of a trust that was revocable at the settlor's death is subject to
692 claims of the settlor's creditors, costs of administration of the settlor's
693 estate, the expenses of the settlor's funeral and disposal of remains,
694 and the allowance to a surviving spouse or family as provided in
695 section 45a-320 of the general statutes to the extent the settlor's probate
696 estate is inadequate to satisfy such claims, costs, expenses and
697 allowance.

698 (b) With respect to claims, expenses and taxes in connection with
699 the settlement of a trust that was revocable at the settlor's death, the
700 following rules apply:

701 (1) Any claim of a creditor that would be barred against the
702 fiduciary of a decedent's estate, the estate of the decedent or any
703 creditor or beneficiary of the decedent's estate, shall be barred against
704 the trustee, the trust property and the creditors and beneficiaries of the
705 trust.

706 (2) The trustee may use the optional notice procedures set forth in
707 section 45a-357 of the general statutes and, upon the trustee's
708 compliance with such procedures, any person notified in accordance
709 with said section shall be forever barred from asserting or recovering
710 on any claim such person may have from the trustee, the trust
711 property or any creditor or beneficiary of the trust.

712 (3) The provisions of section 45a-365 of the general statutes
713 concerning the order of payment of claims, expenses and taxes shall
714 apply to the settlement of the revocable trust.

715 (4) If any claim is not presented in writing to the fiduciary of the
716 settlor's estate or the trustee within one hundred fifty days from the

717 date of the appointment of the first fiduciary of the settlor's estate or, if
718 no fiduciary is so appointed, within one hundred fifty days from the
719 date of the settlor's death, no trustee shall be chargeable for any assets
720 that a trustee may have paid or distributed in good faith in satisfaction
721 of any lawful claims, expenses or taxes or to any beneficiary before
722 such claim was presented. A payment or distribution of assets by a
723 trustee shall be deemed to have been made in good faith unless the
724 creditor can prove that the trustee had actual knowledge of such claim
725 at the time of such payment or distribution. Such one-hundred-fifty-
726 day period shall not be interrupted or affected by the death,
727 resignation or removal of a trustee, except that the time during which
728 there is no fiduciary in office shall not be counted as part of such
729 period.

730 (c) For the purposes of this section:

731 (1) Except as otherwise provided in section 45 of this act, during the
732 period the power may be exercised, the holder of a power of
733 withdrawal is treated in the same manner as the settlor of a revocable
734 trust to the extent of the property subject to the power; and

735 (2) Upon the lapse, release or waiver of the power, the holder is
736 treated as the settlor of the trust only to the extent the value of the
737 property affected by the lapse, release or waiver exceeds the greater of
738 the amount specified in Section 2041(b)(2) or 2514(e) of the Internal
739 Revenue Code of 1986, and the regulations thereunder, or Section
740 2503(b) of the Internal Revenue Code of 1986, and the regulations
741 thereunder, in each case as in effect on the effective date of this section.

742 Sec. 43. (NEW) (*Effective January 1, 2006*) (a) For the purposes of this
743 section, "mandatory distribution" means a distribution of income or
744 principal that the trustee is required to make to a beneficiary under the
745 terms of the trust, including a distribution upon termination of the
746 trust. The term excludes a distribution subject to the exercise of the
747 trustee's discretion, regardless of whether the terms of the trust (1)
748 include a support or other standard to guide the trustee in making

749 distribution decisions, or (2) provide that the trustee "may" or "shall"
750 make discretionary distributions, including distributions pursuant to a
751 support or other standard.

752 (b) Except as otherwise provided in section 45 of this act, whether or
753 not a trust contains a spendthrift provision, a creditor or assignee of a
754 beneficiary may reach a mandatory distribution of income or principal,
755 including a distribution upon termination of the trust, if the trustee has
756 not made the distribution to the beneficiary within a reasonable time
757 after the mandated distribution date.

758 Sec. 44. (NEW) (*Effective January 1, 2006*) Trust property is not
759 subject to personal obligations of the trustee, even if the trustee
760 becomes insolvent or bankrupt.

761 Sec. 45 (NEW) (*Effective January 1, 2006*) (a) For all purposes under
762 sections 38 to 45, inclusive, of this act, whether or not a trust contains a
763 spendthrift provision, a creditor of a beneficiary, other than the settlor
764 if the settlor is a beneficiary of the trust, may not attach or compel a
765 distribution of property that is subject:

766 (1) To a power of withdrawal held by the beneficiary if the value of
767 the property subject to the power does not exceed the greater of the
768 amount specified in Section 2041(b)(2) or 2514(e) of the Internal
769 Revenue Code of 1986, and the regulations thereunder, or Section
770 2503(b) of the Internal Revenue Code of 1986, and the regulations
771 thereunder, in each case as in effect on the effective date of this section;

772 (2) Except as otherwise provided in subsection (c) of section 41 of
773 this act, to a power, whether mandatory or discretionary, held by the
774 trustee of the trust, including a power held by the beneficiary as the
775 sole trustee or a cotrustee of the trust, to make distributions to or for
776 the benefit of the beneficiary, if the power is exercisable by the trustee
777 only in accordance with an ascertainable standard relating to such
778 beneficiary's individual health, education, support or maintenance
779 within the meaning of Section 2041(b)(1)(A) or Section 2514(c)(1) of the

780 Internal Revenue Code of 1986, and the regulations thereunder, as in
781 effect on the effective date of this section; or

782 (3) To a power, whether mandatory or discretionary, held by the
783 trustee of the trust, including a power held by the beneficiary as the
784 sole trustee or a cotrustee of the trust, to make distributions to or for
785 the benefit of a person who the beneficiary has an obligation to
786 support, if the power is exercisable by the trustee only in accordance
787 with an ascertainable standard relating to such person's individual
788 health, education, support or maintenance within the meaning of
789 Section 2041(b)(1)(A) or Section 2514(c)(1) of the Internal Revenue
790 Code of 1986, and the regulations thereunder, as in effect on the
791 effective date of this section.

792 (b) A beneficiary holding a power set forth in subsection (a) of this
793 section shall not, during the period the power may be exercised or
794 upon the lapse, release or waiver of the power, be treated as a settlor of
795 the trust.

796 Sec. 46. (NEW) (*Effective January 1, 2006*) The capacity required to
797 create, amend, revoke or add property to a revocable trust, or to direct
798 the actions of the trustee of a revocable trust, is the same as that
799 required to make a will.

800 Sec. 47. (NEW) (*Effective January 1, 2006*) (a) Unless the terms of a
801 trust expressly provide that the trust is irrevocable, the settlor may
802 revoke or amend the trust. This subsection does not apply to a trust
803 created under an instrument executed before the effective date of this
804 section.

805 (b) If a revocable trust is created or funded by more than one settlor:
806 (1) To the extent the trust consists of community property, the trust
807 may be revoked by either spouse acting alone, but may be amended
808 only by joint action of both spouses; and (2) to the extent the trust
809 consists of property other than community property, each settlor may
810 revoke or amend the trust with regard to the portion of the trust

811 property attributable to such settlor's contribution.

812 (c) (1) The settlor may revoke or amend a revocable trust by
813 substantial compliance with a method provided in the terms of the
814 trust.

815 (2) If the terms of the trust do not provide a method, or the method
816 provided in the terms is not expressly made exclusive, the settlor may
817 revoke or amend a revocable trust by (A) executing a later will or
818 codicil that has been admitted to probate and that expressly refers to
819 the trust or expressly devises specifically identified items of real or
820 personal property that would otherwise have passed according to the
821 terms of the trust, or (B) any other method manifesting clear and
822 convincing evidence of the settlor's intent, provided (i) a written
823 revocable trust may only be amended by a later written instrument,
824 and (ii) a written revocable trust may only be revoked by a later
825 written instrument or by the burning, cancellation, tearing or
826 obliteration of the revocable trust by the settlor or by some person in
827 the settlor's presence and at the settlor's direction.

828 (d) Upon revocation of a revocable trust, the trustee shall deliver the
829 trust property as the settlor directs.

830 (e) A settlor's powers with respect to revocation, amendment or
831 distribution of trust property may be exercised by an agent under a
832 power of attorney only to the extent expressly authorized by the terms
833 of the trust or the power of attorney.

834 (f) Unless expressly prohibited by the terms of the trust, a
835 conservator of the settlor may exercise a settlor's powers with respect
836 to revocation, amendment or distribution of trust property with the
837 approval of the court supervising the conservatorship.

838 (g) A trustee who does not know that a trust has been revoked or
839 amended is not liable to the settlor or settlor's successors in interest for
840 distributions made and other actions taken on the assumption that the

841 trust had not been amended or revoked.

842 Sec. 48. (NEW) (*Effective January 1, 2006*) (a) While a trust is
843 revocable and the settlor has capacity to revoke the trust, rights of the
844 beneficiaries are subject to the control of, and the duties of the trustee
845 are owed exclusively to, the settlor.

846 (b) If a revocable trust has more than one settlor, the duties of the
847 trustee are owed to all of the settlors having capacity to revoke the
848 trust.

849 (c) During the period the power may be exercised, the holder of a
850 power of withdrawal has the rights of a settlor of a revocable trust
851 under this section to the extent of the property subject to the power.

852 Sec. 49. (NEW) (*Effective January 1, 2006*) (a) A person may
853 commence a judicial proceeding to contest the validity of a trust that
854 was revocable at the settlor's death within the earlier of:

855 (1) Two years after the settlor's death; or

856 (2) One hundred fifty days after the trustee sent the person a copy of
857 the trust instrument and a notice informing the person of the trust's
858 existence, of the trustee's name and address, and of the time allowed
859 for commencing a proceeding. The trustee shall have the right to
860 provide the documentation and information set forth in this
861 subdivision to (A) all persons who would be entitled to notice of the
862 application for probate of a will or administration of an intestate estate
863 or to notice of the admission of a will to probate or the granting of
864 letters of administration, and (B) all persons whose interests are, in the
865 opinion of the trustee, adversely affected by the trust.

866 (b) Upon the death of the settlor of a trust that was revocable at the
867 settlor's death, the trustee may proceed to distribute the trust property
868 in accordance with the terms of the trust. The trustee is not subject to
869 liability for doing so unless: (1) The trustee knows of a pending judicial
870 proceeding contesting the validity of the trust; (2) a potential

871 contestant has notified the trustee of a possible judicial proceeding to
872 contest the trust and a judicial proceeding is commenced within sixty
873 days after the contestant sent the notification; or (3) the trustee failed to
874 give notice to the qualified beneficiaries in accordance with section 67
875 of this act.

876 (c) A beneficiary of a trust that is determined to have been invalid is
877 liable to return any distribution received.

878 Sec. 50. (NEW) (*Effective January 1, 2006*) (a) Except as otherwise
879 provided in subsection (c) of this section, a person designated as
880 trustee accepts the trusteeship: (1) By substantially complying with a
881 method of acceptance provided in the terms of the trust; (2) if the terms
882 of the trust do not provide a method or the method provided in the
883 terms is not expressly made exclusive, by accepting delivery of the
884 trust property, exercising powers or performing duties as trustee, or
885 otherwise indicating acceptance of the trusteeship; or (3) in the case of
886 a testamentary trust, filing an acceptance of trust in the court with
887 jurisdiction over the trust.

888 (b) A person designated as trustee who has not yet accepted the
889 trusteeship may reject the trusteeship. A designated trustee who does
890 not accept the trusteeship within a reasonable time after knowing of
891 the designation is deemed to have rejected the trusteeship.

892 (c) A person designated as trustee, without accepting the
893 trusteeship, may: (1) Act to preserve the trust property if, within a
894 reasonable time after acting, the person sends a rejection of the
895 trusteeship to the settlor or, if the settlor is dead or lacks capacity, to a
896 qualified beneficiary; and (2) inspect or investigate trust property to
897 determine potential liability under state or federal environmental or
898 other law or for any other purpose.

899 (d) A testamentary trustee that is a foreign corporation shall also
900 comply with section 45a-206 of the general statutes.

901 Sec. 51. (NEW) (*Effective January 1, 2006*) (a) A trustee shall give
902 bond to secure performance of the trustee's duties only if the court
903 finds that a bond is needed to protect the interests of the beneficiaries
904 or is required by the terms of the trust and the court has not dispensed
905 with the requirement.

906 (b) The court may specify the amount of a bond, its liabilities, and
907 whether sureties are necessary. The court may modify or terminate a
908 bond at any time.

909 Sec. 52. (NEW) (*Effective January 1, 2006*) (a) Cotrustees who are
910 unable to reach a unanimous decision may act by majority decision.

911 (b) If a vacancy occurs in a cotrusteeship, the remaining cotrustees
912 may act for the trust.

913 (c) A cotrustee shall participate in the performance of a trustee's
914 function unless the cotrustee is unavailable to perform the function
915 because of absence, illness, disqualification under other law or other
916 temporary incapacity or the cotrustee has properly delegated the
917 performance of the function to another trustee.

918 (d) If a cotrustee is unavailable to perform duties because of
919 absence, illness, disqualification under other law or other temporary
920 incapacity, and prompt action is necessary to achieve the purposes of
921 the trust or to avoid injury to the trust property, the remaining
922 cotrustee or a majority of the remaining cotrustees may act for the
923 trust.

924 (e) A trustee may delegate to a cotrustee the performance of any
925 function other than a function that the terms of the trust expressly
926 require to be performed by the trustees jointly. Unless a delegation
927 was irrevocable, a delegating trustee may revoke a delegation
928 previously made.

929 (f) Except as otherwise provided in subsection (g) of this section, a
930 trustee who does not join in an action of another trustee is not liable for

931 the action.

932 (g) Each trustee shall exercise reasonable care to: (1) Prevent a
933 cotrustee from committing a serious breach of trust; and (2) compel a
934 cotrustee to redress a serious breach of trust.

935 (h) A dissenting trustee who joins in an action at the direction of the
936 majority of the trustees and who notified any cotrustee of the dissent at
937 or before the time of the action is not liable for the action unless the
938 action is a serious breach of trust.

939 Sec. 53. (NEW) (*Effective January 1, 2006*) (a) A vacancy in a
940 trusteeship occurs if: (1) A person designated as trustee rejects the
941 trusteeship; (2) a person designated as trustee cannot be identified or
942 does not exist; (3) a trustee resigns; (4) a trustee is disqualified or
943 removed; (5) a trustee dies; or (6) a conservator is appointed for an
944 individual serving as trustee.

945 (b) If one or more cotrustees remain in office, a vacancy in a
946 trusteeship need not be filled, unless otherwise required by the terms
947 of the trust. A vacancy in a trusteeship shall be filled if the trust has no
948 remaining trustee.

949 (c) A vacancy in a trusteeship required to be filled shall be filled in
950 the following order of priority: (1) By a person designated in the terms
951 of the trust to act as successor trustee or appointed according to a
952 procedure specified in such terms; (2) by a person appointed by
953 unanimous agreement of the qualified beneficiaries; (3) in the case of
954 an inter vivos charitable trust, by a person selected by the charitable
955 organizations expressly designated to receive distributions under the
956 terms of the trust; or (4) by a person appointed by the court.

957 (d) Whether or not a vacancy in a trusteeship exists or is required to
958 be filled, the court may appoint an additional trustee or special
959 fiduciary whenever the court considers the appointment necessary for
960 the administration of the trust.

961 Sec. 54. (NEW) (*Effective January 1, 2006*) (a) A trustee of an inter
962 vivos trust may resign without court approval upon at least thirty days
963 notice to either: (1) The qualified beneficiaries, the settlor, if living, and
964 all cotrustees; or (2) the court.

965 (b) A trustee of a testamentary trust may resign: (1) Without court
966 approval upon at least thirty days notice to the qualified beneficiaries
967 and the court; or (2) with the approval of the court.

968 (c) In approving a resignation pursuant to subdivision (2) of
969 subsection (b) of this section, the court may issue orders and impose
970 conditions reasonably necessary for the protection of the trust
971 property, the beneficiaries and the other trustees, and may issue such
972 other orders as law and equity may require.

973 (d) Any liability of a resigning trustee or of any sureties on such
974 trustee's bond for acts or omissions of such trustee is not discharged or
975 affected by such trustee's resignation.

976 Sec. 55. (NEW) (*Effective January 1, 2006*) (a) The settlor, a cotrustee
977 or a beneficiary may request the court to remove a trustee, or a trustee
978 may be removed by the court on its own initiative.

979 (b) The court may remove a trustee if:

980 (1) The trustee has committed a serious breach of trust;

981 (2) Lack of cooperation among cotrustees substantially impairs the
982 administration of the trust;

983 (3) Because of unfitness, unwillingness, or persistent failure of the
984 trustee to administer the trust effectively, the court determines that
985 removal of the trustee best serves the interests of the beneficiaries; or

986 (4) The trustee is not an individual appointed by the person who
987 created the trust and (A) there has been a substantial change of
988 circumstances or removal is requested by all of the qualified

989 beneficiaries, (B) the court finds that removal of the trustee best serves
990 the interests of all of the beneficiaries and is not inconsistent with a
991 material purpose of the trust, and (C) a suitable cotrustee or successor
992 trustee is available. A successor corporate fiduciary shall not be
993 removed in such a manner as to discriminate against state banks or
994 national banking associations. No consolidated state bank or national
995 banking association and no receiving state bank or national banking
996 association may be removed solely because it is a successor fiduciary,
997 as defined in section 45a-245a of the general statutes.

998 (c) Pending a final decision on a request to remove a trustee, or in
999 lieu of or in addition to removing a trustee, the court may order
1000 appropriate relief under subsection (b) of section 72 of this act.

1001 Sec. 56. (NEW) (*Effective January 1, 2006*) (a) Unless a cotrustee
1002 remains in office or the court otherwise orders, and until the trust
1003 property is delivered to a successor trustee or other person entitled to
1004 it, a trustee who has resigned or been removed has the duties of a
1005 trustee and the powers necessary to protect the trust property.

1006 (b) A trustee who has resigned or been removed shall proceed
1007 expeditiously to deliver the trust property within the trustee's
1008 possession to the cotrustee, successor trustee or other person entitled
1009 to it.

1010 Sec. 57. (NEW) (*Effective January 1, 2006*) (a) If the terms of a trust do
1011 not specify the trustee's compensation, a trustee is entitled to
1012 compensation that is reasonable under the circumstances.

1013 (b) If the terms of a trust specify the trustee's compensation, the
1014 trustee is entitled to be compensated as specified, but the court may
1015 allow more or less compensation if: (1) The duties of the trustee are
1016 substantially different from those contemplated when the trust was
1017 created; or (2) the compensation specified by the terms of the trust
1018 would be unreasonably low or high.

1019 Sec. 58. (NEW) (*Effective January 1, 2006*) (a) A trustee is entitled to
1020 be reimbursed out of the trust property, with interest as appropriate,
1021 for: (1) Expenses that were properly incurred in the defense or
1022 administration of the trust, unless the trustee is determined to have
1023 committed a breach of trust; and (2) to the extent necessary to prevent
1024 unjust enrichment of the trust, expenses that were not properly
1025 incurred in the administration of the trust.

1026 (b) An advance by the trustee of money for the protection of the
1027 trust gives rise to a lien against trust property to secure reimbursement
1028 with reasonable interest.

1029 Sec. 59. (NEW) (*Effective January 1, 2006*) Upon acceptance of a
1030 trusteeship, the trustee shall administer the trust in good faith, in
1031 accordance with its terms and purposes, the intentions of the settlor
1032 and the interests of the beneficiaries, and in accordance with sections 1
1033 to 86, inclusive, of this act.

1034 Sec. 60. (NEW) (*Effective January 1, 2006*) (a) A trustee shall invest
1035 and manage the trust assets solely in the interests of the beneficiaries.

1036 (b) Subject to the rights of persons dealing with or assisting the
1037 trustee as provided in section 82 of this act, a sale, encumbrance or
1038 other transaction involving the investment or management of trust
1039 property entered into by the trustee for the trustee's own personal
1040 account or which is otherwise affected by a conflict between the
1041 trustee's fiduciary and personal interests is voidable by a beneficiary
1042 affected by the transaction unless: (1) The transaction was authorized
1043 by the terms of the trust; (2) the transaction was approved by the court;
1044 (3) the beneficiary did not commence a judicial proceeding within the
1045 time allowed by section 75 of this act; (4) the beneficiary consented to
1046 the trustee's conduct, ratified the transaction or released the trustee as
1047 provided in section 79 of this act; or (5) the transaction involves a
1048 contract entered into or claim acquired by the trustee before the person
1049 became or contemplated becoming trustee.

1050 (c) A sale, encumbrance or other transaction involving the
1051 investment or management of trust property is presumed to be
1052 affected by a conflict between personal and fiduciary interests if it is
1053 entered into by the trustee with: (1) The trustee's spouse; (2) the
1054 trustee's descendants, sibling, parents or their spouses; (3) an agent or
1055 attorney of the trustee; or (4) a corporation or other person or
1056 enterprise in which the trustee, or a person that owns a significant
1057 interest in the trustee, has an interest that might affect the trustee's best
1058 judgment.

1059 (d) A transaction between a trustee and a beneficiary that does not
1060 concern trust property but that occurs during the existence of the trust
1061 or while the trustee retains significant influence over the beneficiary
1062 and from which the trustee obtains an advantage is voidable by the
1063 beneficiary unless the trustee establishes that the transaction was fair
1064 to the beneficiary.

1065 (e) A transaction not concerning trust property in which the trustee
1066 engages in the trustee's individual capacity involves a conflict between
1067 personal and fiduciary interests if the transaction concerns an
1068 opportunity properly belonging to the trust.

1069 (f) (1) The following transactions are not presumed to be affected by
1070 a conflict of interest between a trustee's personal and fiduciary
1071 interests, provided the transaction and any investment made pursuant
1072 to the transaction complies with the Connecticut Uniform Prudent
1073 Investor Act, sections 45a-541 to 45a-541l, inclusive, of the general
1074 statutes: (A) An investment by a trustee in securities of an investment
1075 company or investment trust to which the trustee, or its affiliate,
1076 provides services in a capacity other than as trustee; (B) an investment
1077 by a trustee in an insurance contract purchased from an insurance
1078 agency owned by, or affiliated with, the trustee or its affiliate; (C) the
1079 placing of securities transactions by a trustee through a securities
1080 broker that is a part of the same company as the trustee, is owned by
1081 the trustee or is affiliated with the trustee.

1082 (2) A trustee may be compensated for any transaction described in
1083 this subsection out of fees charged to the trust if the trustee, at least
1084 annually, notifies the persons entitled under section 67 of this act to
1085 receive a copy of the trustee's annual report of the rate and method by
1086 which the compensation was determined.

1087 (g) In voting shares of stock or in exercising powers of control over
1088 similar interests in other forms of enterprise, the trustee shall act in the
1089 best interests of the beneficiaries. If the trust is the sole owner of a
1090 corporation or other form of enterprise, the trustee shall elect or
1091 appoint directors or other managers who will manage the corporation
1092 or enterprise in the best interests of the beneficiaries.

1093 (h) This section does not preclude the following transactions, if fair
1094 to the beneficiaries: (1) An agreement between a trustee and a
1095 beneficiary relating to the appointment or compensation of the trustee;
1096 (2) payment of reasonable compensation to the trustee; (3) a
1097 transaction between a trust and another trust, decedent's estate or
1098 conservatorship of which the trustee is a fiduciary or in which a
1099 beneficiary has an interest; (4) a deposit of trust money in a regulated
1100 financial service institution operated by the trustee; or (5) an advance
1101 by the trustee of money for the protection of the trust.

1102 (i) The court may appoint a special fiduciary to make a decision
1103 with respect to any proposed transaction that might violate this section
1104 if entered into by the trustee.

1105 Sec. 61. (NEW) (*Effective January 1, 2006*) A trustee shall administer
1106 the trust as a prudent person would, by considering the purposes,
1107 terms, distributional requirements and other circumstances of the
1108 trust. In satisfying this standard, the trustee shall exercise reasonable
1109 care, skill and caution.

1110 Sec. 62. (NEW) (*Effective January 1, 2006*) (a) While a trust is
1111 revocable, the trustee may follow a direction of the settlor that is
1112 contrary to the terms of the trust.

1113 (b) If the terms of a trust confer upon a person other than the settlor
1114 of a revocable trust power to direct certain actions of the trustee, the
1115 trustee shall act in accordance with an exercise of such power unless
1116 the attempted exercise is manifestly contrary to the terms of the trust
1117 or the trustee knows the attempted exercise would constitute a serious
1118 breach of a fiduciary duty that the person holding such power owes to
1119 the beneficiaries of the trust.

1120 (c) The terms of a trust may confer upon a trustee or other person a
1121 power to direct the modification or termination of the trust.

1122 (d) A person, other than a beneficiary, who holds a power to direct
1123 as specified in subsection (b) or (c) of this section is presumptively a
1124 fiduciary and is required to act in good faith with regard to the
1125 purposes of the trust and the interests of the beneficiaries. The holder
1126 of a power to direct is liable for any loss that results from breach of a
1127 fiduciary duty.

1128 Sec. 63. (NEW) (*Effective January 1, 2006*) A trustee shall take
1129 reasonable steps to take control of and protect the trust property.

1130 Sec. 64. (NEW) (*Effective January 1, 2006*) (a) A trustee shall keep
1131 adequate records of the administration of the trust.

1132 (b) A trustee shall keep trust property separate from the trustee's
1133 own property.

1134 (c) Except as otherwise provided in subsection (d) of this section, a
1135 trustee shall cause the trust property to be designated so that the
1136 interest of the trust, to the extent feasible, appears in records
1137 maintained by a party other than a trustee or beneficiary.

1138 (d) If the trustee maintains records clearly indicating the respective
1139 interests, a trustee may invest as a whole the property of two or more
1140 separate trusts.

1141 Sec. 65. (NEW) (*Effective January 1, 2006*) A trustee shall take

1142 reasonable steps to enforce claims of the trust and to defend claims
1143 against the trust.

1144 Sec. 66. (NEW) (*Effective January 1, 2006*) A trustee shall take
1145 reasonable steps to compel a former trustee or other person to deliver
1146 trust property to the trustee, and to redress a breach of trust known to
1147 the trustee to have been committed by a former trustee.

1148 Sec. 67. (NEW) (*Effective January 1, 2006*) (a) Unless, under the
1149 circumstances, disclosure is unreasonable: (1) A trustee shall keep the
1150 current beneficiaries of the trust reasonably informed about the
1151 administration of the trust and of the material facts necessary for them
1152 to protect their interests; and (2) a trustee shall promptly respond to a
1153 beneficiary's request for information reasonably related to the
1154 administration of the trust.

1155 (b) A trustee: (1) Upon request of a beneficiary, shall promptly
1156 furnish to the beneficiary a copy of the trust instrument; (2) within
1157 sixty days after accepting a trusteeship, shall notify the current
1158 beneficiaries of the acceptance and of the trustee's name, address and
1159 telephone number; and (3) within sixty days after the date the trustee
1160 acquires knowledge of the creation of an irrevocable trust, or the date
1161 the trustee acquires knowledge that a formerly revocable trust has
1162 become irrevocable, whether by the death of the settlor or otherwise,
1163 shall notify the current beneficiaries of the trust's existence, of the
1164 identity of the settlor or settlors, of the right to request a copy of the
1165 trust instrument and of the right to a trustee's report as provided in
1166 subsection (c) of this section.

1167 (c) A trustee shall send to the current beneficiaries of the trust, and
1168 to other beneficiaries who request it, at least annually and at the
1169 termination of the trust, a report of the trust property, liabilities,
1170 receipts and disbursements, including the source and amount of the
1171 trustee's compensation, a listing of the trust assets and, if feasible, their
1172 respective market values. Upon a vacancy in a trusteeship, unless a
1173 cotrustee remains in office, a report shall be sent to the current

1174 beneficiaries by the former trustee. An executor, administrator or
1175 conservator may send the current beneficiaries a report on behalf of a
1176 deceased or incapacitated trustee.

1177 (d) A beneficiary may waive the right to a trustee's report or other
1178 information otherwise required to be furnished under this section. A
1179 beneficiary, with respect to future reports and other information, may
1180 withdraw a waiver previously given.

1181 (e) Judicial approval of a trustee's report forecloses claims as to
1182 those given notice of the proceeding as to matters disclosed in the
1183 report.

1184 Sec. 68. (NEW) (*Effective January 1, 2006*) (a) Notwithstanding the
1185 breadth of discretion granted to a trustee in the terms of the trust,
1186 including the use of such terms as "absolute", "sole" or "uncontrolled",
1187 the trustee shall exercise a discretionary power in good faith and in
1188 accordance with the terms and purposes of the trust, the intentions of
1189 the settlor and the interests of the beneficiaries.

1190 (b) Subject to subsection (d) of this section, and unless the terms of
1191 the trust expressly indicate that a rule in this subsection does not
1192 apply: (1) A person, other than a settlor, who is a beneficiary and
1193 trustee of a trust that confers on the trustee a power to make
1194 discretionary distributions to or for the trustee's personal benefit may
1195 exercise the power only in accordance with an ascertainable standard
1196 relating to the trustee's individual health, education, support or
1197 maintenance within the meaning of Section 2041(b)(1)(A) or 2514(c)(1)
1198 of the Internal Revenue Code of 1986, or any subsequent
1199 corresponding internal revenue code of the United States, as from time
1200 to time amended; and (2) a trustee may not exercise a power to make
1201 discretionary distributions to satisfy a legal obligation of support that
1202 the trustee personally owes another person.

1203 (c) A power to make discretionary distributions, the exercise of
1204 which is limited or prohibited by subsection (b) of this section, may be

1205 exercised by a majority of the remaining trustees whose exercise of
1206 such power is not so limited or prohibited. If the exercise of such
1207 power by all trustees is so limited or prohibited, the court may appoint
1208 a special fiduciary with authority to exercise such power.

1209 (d) Subsection (b) of this section, does not apply to: (1) A power
1210 held by the settlor's spouse who is the trustee of a trust for which a
1211 marital deduction, as defined in Section 2056(b)(5) or 2523(e) of the
1212 Internal Revenue Code of 1986, or any subsequent corresponding
1213 internal revenue code of the United States, as from time to time
1214 amended, was previously allowed; (2) any trust during any period that
1215 the trust may be revoked or amended by its settlor; or (3) a trust, if
1216 contributions to the trust qualify for the annual exclusion under
1217 Section 2503(c) of the Internal Revenue Code of 1986, or any
1218 subsequent corresponding internal revenue code of the United States,
1219 as from time to time amended.

1220 Sec. 69. (NEW) (*Effective January 1, 2006*) (a) A trustee, without
1221 authorization by the court, may exercise: (1) Powers conferred by the
1222 terms of the trust; and (2) except as limited by the terms of the trust,
1223 (A) all powers over the trust property which an unmarried competent
1224 owner has over individually-owned property, (B) any other powers
1225 appropriate to achieve the proper investment, management and
1226 distribution of the trust property, and (C) any other powers conferred
1227 by sections 1 to 86, inclusive, of this act.

1228 (b) The exercise of any power is subject to the fiduciary duties
1229 prescribed by sections 59 to 71, inclusive, of this act.

1230 Sec. 70. (NEW) (*Effective January 1, 2006*) Without limiting the
1231 authority conferred by section 69 of this act, a trustee may:

1232 (1) Collect trust property and accept or reject additions to the trust
1233 property from a settlor or any other person;

1234 (2) Acquire or sell property, for cash or on credit, at public or

1235 private sale;

1236 (3) Exchange, partition or otherwise change the character of trust
1237 property;

1238 (4) Deposit trust money in an account in a regulated financial
1239 service institution;

1240 (5) Borrow money, with or without security, and mortgage or
1241 pledge trust property for a period within or extending beyond the
1242 duration of the trust;

1243 (6) With respect to an interest in a proprietorship, partnership,
1244 limited liability company, business trust, corporation or other form of
1245 business or enterprise, continue the business or other enterprise and
1246 take any action that may be taken by shareholders, members or
1247 property owners, including merging, dissolving or otherwise changing
1248 the form of business organization or contributing additional capital;

1249 (7) With respect to stocks or other securities, exercise the rights of an
1250 absolute owner, including the right to (A) vote or give proxies to vote,
1251 with or without power of substitution, or enter into or continue a
1252 voting trust agreement, (B) hold a security in the name of a nominee or
1253 in other form without disclosure of the trust so that title may pass by
1254 delivery, (C) pay calls, assessments and other sums chargeable or
1255 accruing against the securities, and sell or exercise stock subscription
1256 or conversion rights, and (D) deposit the securities with a depository
1257 or other regulated financial service institution;

1258 (8) With respect to an interest in real property, construct or make
1259 ordinary or extraordinary repairs to, alterations to or improvements in
1260 buildings or other structures, demolish improvements, raze existing or
1261 erect new party walls or buildings, subdivide or develop land,
1262 dedicate land to public use or grant public or private easements, and
1263 make or vacate plats and adjust boundaries;

1264 (9) Enter into a lease for any purpose as lessor or lessee, including a

1265 lease or other arrangement for exploration and removal of natural
1266 resources, with or without the option to purchase or renew, for a
1267 period within or extending beyond the duration of the trust;

1268 (10) Grant an option involving a sale, lease or other disposition of
1269 trust property or acquire an option for the acquisition of property,
1270 including an option exercisable beyond the duration of the trust, and
1271 exercise an option so acquired;

1272 (11) Insure the property of the trust against damage or loss, and
1273 insure the trustee, the trustee's agents and beneficiaries against liability
1274 arising from the administration of the trust;

1275 (12) Abandon or decline to administer property of no value or of
1276 insufficient value to justify its collection or continued administration;

1277 (13) With respect to possible liability for violation of environmental
1278 law, (A) inspect or investigate property the trustee holds or has been
1279 asked to hold, or property owned or operated by an organization in
1280 which the trustee holds or has been asked to hold an interest, for the
1281 purpose of determining the application of environmental law with
1282 respect to the property, (B) take action to prevent, abate or otherwise
1283 remedy any actual or potential violation of any environmental law
1284 affecting property held directly or indirectly by the trustee, whether
1285 taken before or after the assertion of a claim or the initiation of
1286 governmental enforcement, (C) decline to accept property into trust or
1287 disclaim any power with respect to property that is or may be
1288 burdened with liability for violation of environmental law, (D)
1289 compromise claims against the trust which may be asserted for an
1290 alleged violation of environmental law, and (E) pay the expense of any
1291 inspection, review, abatement or remedial action to comply with
1292 environmental law;

1293 (14) Pay or contest any claim, settle a claim by or against the trust,
1294 and release, in whole or in part, a claim belonging to the trust;

1295 (15) Pay taxes, assessments, compensation of the trustee and of
1296 employees and agents of the trust, and other expenses incurred in the
1297 administration of the trust;

1298 (16) Exercise elections with respect to federal, state and local taxes;

1299 (17) Select a mode of payment under any employee benefit or
1300 retirement plan, annuity or life insurance payable to the trustee,
1301 exercise rights thereunder, including exercise of the right to
1302 indemnification for expenses and against liabilities, and take
1303 appropriate action to collect the proceeds;

1304 (18) Make loans out of trust property, including loans to a
1305 beneficiary on terms and conditions the trustee considers to be fair and
1306 reasonable under the circumstances, with the trustee having a lien on
1307 future distributions for repayment of such loans;

1308 (19) Pledge trust property to guarantee loans made by others to the
1309 beneficiary;

1310 (20) Appoint a trustee to act in another jurisdiction with respect to
1311 trust property located in the other jurisdiction, confer upon such
1312 appointed trustee all of the powers and duties of the appointing
1313 trustee, require that such appointed trustee furnish security, and
1314 remove any trustee so appointed;

1315 (21) Pay an amount distributable to a beneficiary who is under a
1316 legal disability or who the trustee reasonably believes is incapacitated,
1317 by: (A) Paying it directly to the beneficiary or applying it for the
1318 beneficiary's benefit; (B) paying it to the beneficiary's conservator; (C)
1319 paying it to the beneficiary's custodian under the Uniform Transfers to
1320 Minors Act or to the beneficiary's custodial trustee under the Uniform
1321 Custodial Trust Act, and, for such purpose, creating a custodianship or
1322 custodial trust; (D) if the trustee does not know of a conservator,
1323 custodian or custodial trustee, paying it to an adult relative or other
1324 person having legal or physical care or custody of the beneficiary, to be

1325 expended on the beneficiary's behalf; or (E) managing it as a separate
1326 fund on the beneficiary's behalf, subject to the beneficiary's continuing
1327 right to withdraw the distribution;

1328 (22) On distribution of trust property or the division or termination
1329 of a trust, make distributions in divided or undivided interests,
1330 allocate particular assets in proportionate or disproportionate shares,
1331 value the trust property for such purposes and adjust for resulting
1332 differences in valuation;

1333 (23) Resolve a dispute concerning the interpretation of the trust or
1334 its administration by mediation, arbitration or other procedure for
1335 alternative dispute resolution;

1336 (24) Prosecute or defend an action, claim or judicial proceeding in
1337 any jurisdiction to protect trust property and the trustee in the
1338 performance of the trustee's duties;

1339 (25) Sign and deliver contracts and other instruments that are useful
1340 to achieve or facilitate the exercise of the trustee's powers; and

1341 (26) On termination of the trust, exercise the powers appropriate to
1342 wind up the administration of the trust and distribute the trust
1343 property to the persons entitled to it.

1344 Sec. 71. (NEW) (*Effective January 1, 2006*) (a) Upon termination or
1345 partial termination of a trust, the trustee of an inter vivos trust may
1346 send to the beneficiaries a proposal for distribution. The right of any
1347 beneficiary to object to the proposed distribution terminates if the
1348 beneficiary does not notify the trustee of an objection not later than
1349 thirty days after the proposal was sent, but only if the proposal
1350 informed the beneficiary of the right to object and of the time allowed
1351 for objection.

1352 (b) Upon the occurrence of an event terminating or partially
1353 terminating a trust, the trustee shall proceed expeditiously to
1354 distribute the trust property to the persons entitled to it, subject to the

1355 right of the trustee to retain a reasonable reserve for the payment of
1356 debts, expenses and taxes.

1357 (c) A release by a beneficiary of a trustee from liability for breach of
1358 trust is invalid to the extent: (1) It was induced by improper conduct of
1359 the trustee; or (2) the beneficiary, at the time of the release, did not
1360 know of the beneficiary's rights or of the material facts relating to the
1361 breach.

1362 Sec. 72. (NEW) (*Effective January 1, 2006*) (a) A violation by a trustee
1363 of a duty the trustee owes to a beneficiary is a breach of trust.

1364 (b) To remedy a breach of trust that has occurred or may occur, the
1365 court may: (1) Compel the trustee to perform the trustee's duties; (2)
1366 enjoin the trustee from committing a breach of trust; (3) compel the
1367 trustee to redress a breach of trust by paying money, restoring
1368 property or other means; (4) order a trustee to account; (5) appoint a
1369 special fiduciary to take possession of the trust property and
1370 administer the trust; (6) suspend the trustee; (7) remove the trustee as
1371 provided in section 55 of this act; (8) reduce or deny compensation to
1372 the trustee; (9) subject to the provisions of section 82 of this act, void an
1373 act of the trustee, impose a lien or a constructive trust on trust
1374 property, or trace trust property wrongfully disposed of and recover
1375 the property or its proceeds; or (10) order any other appropriate relief.

1376 Sec. 73. (NEW) (*Effective January 1, 2006*) (a) A trustee who commits
1377 a breach of trust is liable to the beneficiaries affected for the greater of:
1378 (1) The amount required to restore the value of the trust property and
1379 trust distributions to what they would have been had the breach not
1380 occurred; or (2) the profit the trustee made by reason of the breach.

1381 (b) Except as otherwise provided in this subsection, if more than one
1382 trustee is liable to the beneficiaries for a breach of trust, a trustee is
1383 entitled to contribution from the other trustee or trustees. A trustee is
1384 not entitled to contribution if the trustee was substantially more at
1385 fault than another trustee or if the trustee committed the breach of

1386 trust in bad faith or with reckless indifference to the purposes of the
1387 trust or the interests of the beneficiaries. A trustee who received a
1388 benefit from the breach of trust is not entitled to contribution from
1389 another trustee to the extent of the benefit received.

1390 Sec. 74. (NEW) (*Effective January 1, 2006*) (a) A trustee is accountable
1391 to an affected beneficiary for any profit made by the trustee arising
1392 from the administration of the trust, even absent a breach of trust.

1393 (b) Absent a breach of trust, a trustee is not liable to a beneficiary for
1394 a loss or depreciation in the value of trust property or for not having
1395 made a profit.

1396 Sec. 75. (NEW) (*Effective January 1, 2006*) (a) A beneficiary may not
1397 commence a proceeding against a trustee for breach of trust more than
1398 one year after the date the beneficiary or a representative of the
1399 beneficiary was sent a report that adequately disclosed the existence of
1400 a potential claim for breach of trust and informed the beneficiary of the
1401 time allowed for commencing a proceeding.

1402 (b) A report adequately discloses the existence of a potential claim
1403 for breach of trust if it provides sufficient information so that the
1404 beneficiary or representative knows of the potential claim or should
1405 have inquired into its existence.

1406 (c) If subsection (a) of this section does not apply, a judicial
1407 proceeding by a beneficiary against a trustee for breach of trust shall
1408 be commenced not later than six years after the first to occur of: (1) The
1409 removal or resignation of the trustee; (2) the termination of the
1410 beneficiary's interest in the trust; or (3) the termination of the trust.

1411 Sec. 76. (NEW) (*Effective January 1, 2006*) A trustee who acts in
1412 reasonable reliance on the terms of the trust as expressed in the trust
1413 instrument is not liable to a beneficiary for a breach of trust to the
1414 extent the breach resulted from the reliance.

1415 Sec. 77. (NEW) (*Effective January 1, 2006*) If the happening of an

1416 event, including marriage, divorce, performance of educational
1417 requirements or death, affects the administration or distribution of a
1418 trust, a trustee who has exercised reasonable care to ascertain the
1419 happening of the event is not liable for a loss resulting from the
1420 trustee's lack of knowledge.

1421 Sec. 78. (NEW) (*Effective January 1, 2006*) (a) A term of a trust
1422 relieving a trustee of liability for breach of trust is unenforceable to the
1423 extent that it: (1) Relieves the trustee of liability for breach of trust
1424 committed in bad faith or with reckless indifference to the purposes of
1425 the trust or the interests of the beneficiaries; or (2) was inserted as the
1426 result of an abuse by the trustee of a fiduciary or confidential
1427 relationship to the settlor.

1428 (b) Except for terms intended to provide protection for carrying out
1429 a stated trust purpose, an exculpatory term drafted or caused to be
1430 drafted by the trustee is invalid as an abuse of a fiduciary or
1431 confidential relationship unless the trustee proves that the exculpatory
1432 term is fair under the circumstances and that its existence and contents
1433 were adequately communicated to the settlor.

1434 Sec. 79. (NEW) (*Effective January 1, 2006*) A trustee is not liable to a
1435 beneficiary for breach of trust if the beneficiary consented to the
1436 conduct constituting the breach, released the trustee from liability for
1437 the breach, or ratified the transaction constituting the breach, unless:
1438 (1) The consent, release or ratification of the beneficiary was induced
1439 by improper conduct of the trustee; or (2) at the time of the consent,
1440 release or ratification, the beneficiary did not know of the beneficiary's
1441 rights or of the material facts relating to the breach.

1442 Sec. 80. (NEW) (*Effective January 1, 2006*) (a) Except as otherwise
1443 provided in the contract, a trustee is not personally liable on a contract
1444 properly entered into in the trustee's fiduciary capacity in the course of
1445 administering the trust if the trustee in the contract disclosed the
1446 fiduciary capacity.

1447 (b) Except as otherwise limited by state statute, a trustee is
1448 personally liable for torts committed in the course of administering a
1449 trust, or for obligations arising from ownership or control of trust
1450 property, including liability for violation of environmental law, only if
1451 the trustee is personally at fault.

1452 (c) A claim based on (1) a contract entered into by a trustee in the
1453 trustee's fiduciary capacity, (2) an obligation arising from ownership or
1454 control of trust property, or (3) a tort committed in the course of
1455 administering a trust, may be asserted in a judicial proceeding against
1456 the trustee in the trustee's fiduciary capacity, whether or not the
1457 trustee is personally liable for the claim.

1458 Sec. 81. (NEW) (*Effective January 1, 2006*) (a) Except as otherwise
1459 provided in subsection (c) of this section, or unless personal liability is
1460 imposed in the contract, a trustee who holds an interest as a general
1461 partner in a general or limited partnership is not personally liable on a
1462 contract entered into by the partnership after the trust's acquisition of
1463 the interest if the fiduciary capacity was disclosed in the contract or in
1464 a statement previously filed pursuant to the Uniform Partnership Act,
1465 sections 34-300 to 34-399, inclusive, of the general statutes, or the
1466 Uniform Limited Partnership Act, sections 34-9 to 34-38u, inclusive, of
1467 the general statutes.

1468 (b) Except as otherwise provided in subsection (c) of this section, a
1469 trustee who holds an interest as a general partner is not personally
1470 liable for torts committed by the partnership or for obligations arising
1471 from ownership or control of the interest unless the trustee is
1472 personally at fault.

1473 (c) The immunity provided by this section does not apply if an
1474 interest in the partnership is held by the trustee in a capacity other
1475 than that of trustee or is held by the trustee's spouse or one or more of
1476 the trustee's descendants, siblings or parents or the spouse of any of
1477 them.

1478 (d) If the trustee of a revocable trust holds an interest as a general
1479 partner, the settlor is personally liable for contracts and other
1480 obligations of the partnership as if the settlor were a general partner.

1481 Sec. 82. (NEW) (*Effective January 1, 2006*) (a) A person other than a
1482 beneficiary who in good faith assists a trustee, or who in good faith
1483 and for value deals with a trustee, without knowledge that the trustee
1484 is exceeding or improperly exercising the trustee's powers, is protected
1485 from liability as if the trustee properly exercised the power.

1486 (b) A person other than a beneficiary who in good faith deals with a
1487 trustee is not required to inquire into the extent of the trustee's powers
1488 or the propriety of their exercise.

1489 (c) A person who in good faith delivers assets to a trustee need not
1490 ensure their proper application.

1491 (d) A person other than a beneficiary who in good faith assists a
1492 former trustee, or who in good faith and for value deals with a former
1493 trustee, without knowledge that the trustee has terminated, is
1494 protected from liability as if the former trustee were still a trustee.

1495 (e) Comparable protective provisions of other laws relating to
1496 commercial transactions or transfer of securities by fiduciaries prevail
1497 over the protection provided by this section.

1498 Sec. 83. (NEW) (*Effective January 1, 2006*) (a) Instead of furnishing a
1499 copy of the trust instrument to a person other than a beneficiary, the
1500 trustee may furnish to the person a certification of trust containing the
1501 following information: (1) That the trust exists and the date the trust
1502 instrument was executed; (2) the identity of the settlor; (3) the identity
1503 and address of the currently acting trustee; (4) the powers of the
1504 trustee; (5) the revocability or irrevocability of the trust and the
1505 identity of any person holding a power to revoke the trust; (6) the
1506 authority of cotrustees to sign or otherwise authenticate, and whether
1507 all or less than all are required in order to exercise powers of the

1508 trustee; (7) the trust's taxpayer identification number; and (8) the
1509 manner of taking title to trust property.

1510 (b) A certification of trust may be signed or otherwise authenticated
1511 by any trustee.

1512 (c) A certification of trust shall state that the trust has not been
1513 revoked, modified or amended in any manner that would cause the
1514 representations contained in the certification of trust to be incorrect.

1515 (d) A certification of trust need not contain the dispositive terms of a
1516 trust.

1517 (e) A recipient of a certification of trust may require the trustee to
1518 furnish copies of those excerpts from the original trust instrument and
1519 later amendments which designate the trustee and confer upon the
1520 trustee the power to act in the pending transaction.

1521 (f) A person who acts in reliance upon a certification of trust
1522 without knowledge that the representations contained therein are
1523 incorrect is not liable to any person for so acting and may assume
1524 without inquiry the existence of the facts contained in the certification.

1525 (g) A person who in good faith enters into a transaction in reliance
1526 upon a certification of trust may enforce the transaction against the
1527 trust property as if the representations contained in the certification
1528 were correct.

1529 (h) A person making a demand for the trust instrument in addition
1530 to a certification of trust or excerpts is liable for damages if the court
1531 determines that the person did not act in good faith in demanding the
1532 trust instrument.

1533 (i) This section does not limit the right of a person to obtain a copy
1534 of the trust instrument in a judicial proceeding concerning the trust.

1535 Sec. 84. (NEW) (*Effective January 1, 2006*) In applying and construing

1536 the uniform provisions of sections 1 to 86, inclusive, of this act,
1537 consideration must be given to the need to promote uniformity of the
1538 law with respect to the subject matter among states that enact such
1539 uniform provisions.

1540 Sec. 85. (NEW) (*Effective January 1, 2006*) If any provision of sections
1541 1 to 86, inclusive, of this act or its application to any person or
1542 circumstances is held invalid, the invalidity does not affect other
1543 provisions or applications of sections 1 to 86, inclusive, of this act
1544 which can be given effect without the invalid provision or application,
1545 and to this end the provisions of sections 1 to 86, inclusive, of this act
1546 are severable.

1547 Sec. 86. (NEW) (*Effective January 1, 2006*) (a) Except as otherwise
1548 provided in sections 1 to 86, inclusive, of this act, on the effective date
1549 of this section:

1550 (1) Sections 1 to 86, inclusive, of this act apply to all trusts created
1551 before, on or after the effective date of this section;

1552 (2) Sections 1 to 86, inclusive, of this act apply to all judicial
1553 proceedings concerning trusts commenced on or after the effective
1554 date of this section;

1555 (3) Sections 1 to 86, inclusive, of this act apply to judicial
1556 proceedings concerning trusts commenced before the effective date of
1557 this section, unless the court finds that application of a particular
1558 provision of sections 1 to 86, inclusive, of this act would substantially
1559 interfere with the effective conduct of the judicial proceedings or
1560 prejudice the rights of the parties, in which case the particular
1561 provision of sections 1 to 86, inclusive, of this act does not apply and
1562 the superseded law applies;

1563 (4) Any rule of construction or presumption provided in sections 1
1564 to 86, inclusive, of this act applies to trust instruments executed before
1565 the effective date of this section unless there is a clear indication of a

1566 contrary intent in the terms of the trust;

1567 (5) An act done before the effective date of this section is not
1568 affected by sections 1 to 86, inclusive, of this act;

1569 (6) The ninety-year period specified in subdivision (1) of section 29
1570 of this act shall only apply to trusts that become irrevocable on or after
1571 the effective date of this section;

1572 (7) The provisions of subdivision (3) of subsection (a) of section 42 of
1573 this act shall only apply to revocable trusts of settlors dying on or after
1574 the effective date of this section; and

1575 (8) The provisions of subsections (b) and (c) of section 67 of this act,
1576 shall only apply to trusts that become irrevocable on or after the
1577 effective date of this section.

1578 (b) If a right is acquired, extinguished or barred upon the expiration
1579 of a prescribed period that has commenced to run under any other
1580 statute before the effective date of this section, such statute continues
1581 to apply to the right even if it has been repealed or superseded.

1582 Sec. 87. Subsection (a) of section 45a-98 of the general statutes is
1583 repealed and the following is substituted in lieu thereof (*Effective*
1584 *January 1, 2006*):

1585 (a) Courts of probate in their respective districts shall have the
1586 power to: (1) [~~grant~~] Grant administration of intestate estates of
1587 persons who have died domiciled in their districts and of intestate
1588 estates of persons not domiciled in this state which may be granted as
1589 provided [~~by~~] in section 45a-303; (2) admit wills to probate of persons
1590 who have died domiciled in their districts or of nondomiciliaries
1591 whose wills may be proved in their districts as provided in section 45a-
1592 287; (3) except as provided in section 45a-98a or as limited by an
1593 applicable statute of limitations, determine title or rights of possession
1594 and use in and to any real, tangible or intangible property that
1595 constitutes, or may constitute, all or part of any trust, any decedent's

1596 estate, or any estate under control of a guardian or conservator, which
1597 trust or estate is otherwise subject to the jurisdiction of the Probate
1598 Court, including the rights and obligations of any beneficiary of the
1599 trust or estate and including the rights and obligations of any joint
1600 tenant with respect to survivorship property; (4) except as provided in
1601 section 45a-98a, construe the meaning and effect of any will or trust
1602 agreement if a construction is required in connection with the
1603 administration or distribution of a trust or estate otherwise subject to
1604 the jurisdiction of the Probate Court, or, with respect to an inter vivos
1605 trust, if that trust is or could be subject to jurisdiction of the court for
1606 an accounting pursuant to section 45a-175, provided such an
1607 accounting need not be required; (5) except as provided in section 45a-
1608 98a, apply the doctrine of cy pres or approximation; (6) to the extent
1609 provided for in section 45a-175, call executors, administrators, trustees,
1610 guardians, conservators, persons appointed to sell the land of minors,
1611 and attorneys-in-fact acting under powers of attorney created in
1612 accordance with section 45a-562, to account concerning the estates
1613 entrusted to their charge; (7) in trust matters, to take any action
1614 authorized in subsection (d) of section 12 of this act; and ~~[(7)]~~ (8) make
1615 any lawful orders or decrees to carry into effect the power and
1616 jurisdiction conferred upon them by the laws of this state.

1617 Sec. 88. Subsection (c) of section 45a-475 of the general statutes is
1618 repealed and the following is substituted in lieu thereof (*Effective*
1619 *January 1, 2006*):

1620 (c) The provisions of section ~~[45a-474]~~ 53 of this act shall not apply
1621 to the trusts specified in this section.

1622 Sec. 89. Section 45a-482 of the general statutes is repealed and the
1623 following is substituted in lieu thereof (*Effective January 1, 2006*):

1624 When the facts at the time of distribution from an estate to a trust or
1625 from a testamentary trust to a successive trust are such that no trust
1626 would be operative under the terms of the instrument creating such
1627 trust or successive trust because of the death of the life tenant, or

1628 because the beneficiary has reached a stipulated age, or if such trust
1629 would qualify for termination under section [45a-484] 34 of this act, or
1630 for any other reason, the fiduciary of such estate or prior trust may
1631 distribute, with the approval of the court of probate having
1632 jurisdiction, directly from the estate or prior trust to the remaindermen
1633 of such trust, the corpus of such trust and any income earned during
1634 the period of estate administration or administration of the prior trust
1635 and distributable to such remaindermen, without the interposition of
1636 the establishment of such trust or successive trust. If distribution is
1637 based on the fact that the trust would qualify for termination under
1638 section [45a-484] 34 of this act, reasonable notice shall be provided to
1639 all beneficiaries who are known and in being and who have vested or
1640 contingent interests in the trust.

1641 Sec. 90. Section 52-321 of the general statutes is repealed and the
1642 following is substituted in lieu thereof (*Effective January 1, 2006*):

1643 [Except as provided in sections 52-321a and 52-352b:

1644 (a) If property has been given to trustees to pay over the income to
1645 any person, without provision for accumulation or express
1646 authorization to the trustees to withhold the income, and the income
1647 has not been expressly given for the support of the beneficiary or his
1648 family, the income shall be liable in equity to the claims of all creditors
1649 of the beneficiary.

1650 (b) Any creditor of the beneficiary who has secured a judgment
1651 against the beneficiary may bring an action against him and serve the
1652 trustees with garnishee process, and the court to which the action is
1653 returnable may direct the trustees to pay over the net income derived
1654 from the trust estate to the judgment creditor, as the income may
1655 accrue, until the creditor's debt is satisfied.

1656 (c) The court having jurisdiction over the fund may make such an
1657 order for payment pursuant to subsection (b) when the beneficiary is a
1658 nonresident of this state, as well as when the beneficiary is a resident,

1659 but in the case of a nonresident beneficiary notice shall be given to the
 1660 nonresident of the action against him as provided in section 52-87. The
 1661 nonresidence of the beneficiary shall not deprive the court of authority
 1662 to make such an order.

1663 (d) If any such trust has been expressly provided to be for the
 1664 support of the beneficiary or his family, a court of equity having
 1665 jurisdiction may make such order regarding the surplus, if any, not
 1666 required for the support of the beneficiary or his family, as justice and
 1667 equity may require.

1668 (e) The defendant trustee in any such action] In any action brought
 1669 by a creditor of a beneficiary of a trust to enforce a judgment against
 1670 the beneficiary in which a defendant trustee is served with garnishee
 1671 process, the trustee shall be entitled to charge in the administration
 1672 account of the trust such expenses and disbursements as the court to
 1673 which the action is brought determines to be reasonable and proper.

1674 Sec. 91. Sections 45a-473, 45a-474, 45a-477, 45a-484 and 45a-487 to
 1675 45a-487f, inclusive, of the general statutes are repealed. (*Effective*
 1676 *January 1, 2006*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2006</i>	New section
Sec. 2	<i>January 1, 2006</i>	New section
Sec. 3	<i>January 1, 2006</i>	New section
Sec. 4	<i>January 1, 2006</i>	New section
Sec. 5	<i>January 1, 2006</i>	New section
Sec. 6	<i>January 1, 2006</i>	New section
Sec. 7	<i>January 1, 2006</i>	New section
Sec. 8	<i>January 1, 2006</i>	New section
Sec. 9	<i>January 1, 2006</i>	New section
Sec. 10	<i>January 1, 2006</i>	New section
Sec. 11	<i>January 1, 2006</i>	New section
Sec. 12	<i>January 1, 2006</i>	New section
Sec. 13	<i>January 1, 2006</i>	New section

Sec. 14	<i>January 1, 2006</i>	New section
Sec. 15	<i>January 1, 2006</i>	New section
Sec. 16	<i>January 1, 2006</i>	New section
Sec. 17	<i>January 1, 2006</i>	New section
Sec. 18	<i>January 1, 2006</i>	New section
Sec. 19	<i>January 1, 2006</i>	New section
Sec. 20	<i>January 1, 2006</i>	New section
Sec. 21	<i>January 1, 2006</i>	New section
Sec. 22	<i>January 1, 2006</i>	New section
Sec. 23	<i>January 1, 2006</i>	New section
Sec. 24	<i>January 1, 2006</i>	New section
Sec. 25	<i>January 1, 2006</i>	New section
Sec. 26	<i>January 1, 2006</i>	New section
Sec. 27	<i>January 1, 2006</i>	New section
Sec. 28	<i>January 1, 2006</i>	New section
Sec. 29	<i>January 1, 2006</i>	New section
Sec. 30	<i>January 1, 2006</i>	New section
Sec. 31	<i>January 1, 2006</i>	New section
Sec. 32	<i>January 1, 2006</i>	New section
Sec. 33	<i>January 1, 2006</i>	New section
Sec. 34	<i>January 1, 2006</i>	New section
Sec. 35	<i>January 1, 2006</i>	New section
Sec. 36	<i>January 1, 2006</i>	New section
Sec. 37	<i>January 1, 2006</i>	New section
Sec. 38	<i>January 1, 2006</i>	New section
Sec. 39	<i>January 1, 2006</i>	New section
Sec. 40	<i>January 1, 2006</i>	New section
Sec. 41	<i>January 1, 2006</i>	New section
Sec. 42	<i>January 1, 2006</i>	New section
Sec. 43	<i>January 1, 2006</i>	New section
Sec. 44	<i>January 1, 2006</i>	New section
Sec. 45	<i>January 1, 2006</i>	New section
Sec. 46	<i>January 1, 2006</i>	New section
Sec. 47	<i>January 1, 2006</i>	New section
Sec. 48	<i>January 1, 2006</i>	New section
Sec. 49	<i>January 1, 2006</i>	New section
Sec. 50	<i>January 1, 2006</i>	New section
Sec. 51	<i>January 1, 2006</i>	New section
Sec. 52	<i>January 1, 2006</i>	New section
Sec. 53	<i>January 1, 2006</i>	New section

Sec. 54	<i>January 1, 2006</i>	New section
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Sec. 56	<i>January 1, 2006</i>	New section
Sec. 57	<i>January 1, 2006</i>	New section
Sec. 58	<i>January 1, 2006</i>	New section
Sec. 59	<i>January 1, 2006</i>	New section
Sec. 60	<i>January 1, 2006</i>	New section
Sec. 61	<i>January 1, 2006</i>	New section
Sec. 62	<i>January 1, 2006</i>	New section
Sec. 63	<i>January 1, 2006</i>	New section
Sec. 64	<i>January 1, 2006</i>	New section
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Sec. 67	<i>January 1, 2006</i>	New section
Sec. 68	<i>January 1, 2006</i>	New section
Sec. 69	<i>January 1, 2006</i>	New section
Sec. 70	<i>January 1, 2006</i>	New section
Sec. 71	<i>January 1, 2006</i>	New section
Sec. 72	<i>January 1, 2006</i>	New section
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Sec. 79	<i>January 1, 2006</i>	New section
Sec. 80	<i>January 1, 2006</i>	New section
Sec. 81	<i>January 1, 2006</i>	New section
Sec. 82	<i>January 1, 2006</i>	New section
Sec. 83	<i>January 1, 2006</i>	New section
Sec. 84	<i>January 1, 2006</i>	New section
Sec. 85	<i>January 1, 2006</i>	New section
Sec. 86	<i>January 1, 2006</i>	New section
Sec. 87	<i>January 1, 2006</i>	45a-98(a)
Sec. 88	<i>January 1, 2006</i>	45a-475(c)
Sec. 89	<i>January 1, 2006</i>	45a-482
Sec. 90	<i>January 1, 2006</i>	52-321
Sec. 91	<i>January 1, 2006</i>	45a-473, 45a-474, 45a-477, 45a-484 and 45a-487 to 45a-487f repealed

Statement of Purpose:

To adopt the Connecticut Uniform Trust Code.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]