



Substitute Senate Bill No. 1047

Public Act No. 07-169

AN ACT CONCERNING THE CONNECTICUT UNIFORM TRANSFERS TO MINORS ACT.

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

Section 1. Section 45a-558k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007*):

(a) A custodian may deliver or pay to the minor or expend for the minor's benefit so much of the custodial property as the custodian considers advisable for the use and benefit of the minor, without court order and without regard to (1) the duty or ability of the custodian personally or of any other person to support the minor, or (2) any other income or property of the minor which may be applicable or available for that purpose.

(b) A custodian may distribute all or part of the custodial property to a trust, including a trust created by the custodian, at any time and without court order, provided: (1) The custodian has a good faith belief that such distribution of all or part of the custodial property to a trust is in the best interest of the minor; (2) the minor is the sole beneficiary of the trust during the minor's lifetime; (3) the trust satisfies the requirements of Section 2503(c) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United

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States, as from time to time amended, and the regulations implementing said section; and (4) if the terms of the trust grant to the minor a right to withdraw the trust assets upon the minor's attainment of twenty-one years of age, (A) such terms shall also grant to the minor a right to withdraw any remaining trust assets upon the minor's attainment of twenty-five years of age, (B) the trustee shall notify the minor in writing, by certified mail or similar means of delivery, of such right to withdraw (i) on or before the minor's attainment of twenty-one years of age, and (ii) if there are any remaining trust assets thereafter, on or before the minor's attainment of twenty-five years of age, and (C) the time period during which such withdrawal may be made shall not be less than thirty days from the date the minor attains the applicable age specified in subparagraph (B) of this subdivision or the date the minor receives the applicable notification required by said subparagraph, whichever date is later. Any such right to withdraw shall not lapse if the applicable notification required by subparagraph (B) of subdivision (4) of this subsection is not received by the minor. Any distribution to a trust pursuant to this subsection terminates the custodianship to the extent of the custodial property so distributed. The provisions of this subsection shall apply to any custodianship under sections 45a-557 to 45a-560b, inclusive, in existence on or after the effective date of this section.

[(b)] (c) On petition of an interested person or the minor if the minor has attained the age of twelve years, the court may order the custodian to deliver or pay to the minor or expend for the minor's benefit so much of the custodial property as the court considers advisable for the use and benefit of the minor.

[(c)] (d) A delivery, payment, [or] expenditure or distribution under this section is in addition to, not in substitution for, and does not affect any obligation of a person to support the minor.

Sec. 2. Section 45a-559e of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective October 1, 2007*):

The custodian shall transfer in an appropriate manner the custodial property to the minor, the legal representative of the minor or the personal representative of the minor's estate upon the earlier of (1) the minor's attainment of twenty-one years of age, or (2) the minor's death, unless a prior distribution of the custodial property has been made pursuant to subsection (b) of section 45a-558k, as amended by this act.

Approved June 25, 2007