



General Assembly

January Session, 2007

Raised Bill No. 1047

LCO No. 3493

03493_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING THE CONNECTICUT UNIFORM TRANSFERS TO MINORS ACT.

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

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 Section 45a-558k of the general statutes is repealed and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

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

10 (b) A custodian may distribute all or part of the custodial property
11 to a trust, including a trust created by the custodian, at any time and
12 without court order, provided (1) the minor is the sole beneficiary of
13 the trust during the minor's lifetime, and (2) the trust satisfies the
14 requirements of Section 2503(c) of the Internal Revenue Code of 1986,
15 or any subsequent corresponding internal revenue code of the United

16 States, as from time to time amended, and the regulations
17 implementing said section. Any distribution to a trust pursuant to this
18 subsection terminates the custodianship to the extent of the custodial
19 property so distributed. The provisions of this subsection shall apply
20 to any custodianship under sections 45a-557 to 45a-560b, inclusive, in
21 existence on or after the effective date of this section.

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

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

30 Sec. 2. Section 45a-559e of the general statutes is repealed and the
31 following is substituted in lieu thereof (*Effective October 1, 2007*):

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	45a-558k
Sec. 2	<i>October 1, 2007</i>	45a-559e

Statement of Purpose:

To provide a custodian under the Connecticut Uniform Transfers to Minors Act with limited authority to transfer custodial property to a trust for the benefit of the minor that satisfies the requirements of certain provisions of the federal Internal Revenue 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.]