



General Assembly

Substitute Bill No. 1047

January Session, 2007

* SB01047JUD__041107__ *

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 Section 45a-558k of the general statutes is repealed and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; (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; and (3) if the terms of the trust grant to the
18 minor a right to withdraw the trust assets upon the minor's attainment
19 of twenty-one years of age, (A) the trustee shall notify the minor in

20 writing, by certified mail or similar means of delivery, of such right to
 21 withdraw, and (B) the time period during which such withdrawal may
 22 be made shall not be less than thirty days from the date the minor
 23 attains the age of twenty-one years or the date the minor receives such
 24 notification, whichever date is later. Such right to withdraw shall not
 25 lapse if the notification required by subparagraph (A) of subdivision
 26 (3) of this subsection is not received by the minor. Any distribution to a
 27 trust pursuant to this subsection terminates the custodianship to the
 28 extent of the custodial property so distributed. The provisions of this
 29 subsection shall apply to any custodianship under sections 45a-557 to
 30 45a-560b, inclusive, in existence on or after the effective date of this
 31 section.

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

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

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 Section 45a-559e of the general statutes is repealed and the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

42 The custodian shall transfer in an appropriate manner the custodial
 43 property to the minor, the legal representative of the minor or the
 44 personal representative of the minor's estate upon the earlier of (1) the
 45 minor's attainment of twenty-one years of age, or (2) the minor's death,
 46 unless a prior distribution of the custodial property has been made
 47 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
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JUD *Joint Favorable Subst.*