



General Assembly

January Session, 2009

Committee Bill No. 650

LCO No. 4358

04358SB00650JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING THE CREATION OF TRUSTS FOR THE CARE OF DOMESTIC ANIMALS.

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

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) A testamentary or
2 inter vivos trust may be created to provide for the care of a domestic
3 animal alive during the settlor's lifetime. Such trust shall terminate
4 upon the earlier of (1) the death of the domestic animal or, if the trust
5 was created to provide for the care of more than one domestic animal
6 alive during the settlor's lifetime, the death of the last surviving
7 domestic animal, or (2) ninety years after its creation.

8 (b) A trust authorized by this section may be enforced by a person
9 appointed in the terms of the trust instrument or, if no person is so
10 appointed, by a person appointed by the Probate Court. Any person
11 having an interest in the welfare of the domestic animal may petition
12 the court to appoint a person to enforce the trust or to remove a person
13 so appointed.

14 (c) Property of a trust authorized by this section may be applied
15 only to its intended use for the care of the domestic animal, except to

16 the extent the Probate Court determines that the value of the trust
17 property exceeds the amount required for the intended use. Except as
18 otherwise provided in the terms of the trust instrument, property not
19 required for the intended use shall be distributed to the settlor, if then
20 living, otherwise to the settlor's successors in interest.

21 (d) Any person designated pursuant to the terms of the trust
22 instrument may act as trustee of a trust authorized by this section. Any
23 such trustee may also be designated as a remainder beneficiary of such
24 trust pursuant to the terms of the trust instrument. For the purposes of
25 this subsection: (1) "Person" means a natural person, corporation,
26 limited liability company, trust, partnership, incorporated or
27 unincorporated association or any other legal entity; and (2)
28 "remainder beneficiary" has the same meaning as provided in section
29 45a-542a of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	New section

Statement of Purpose:

To authorize the creation of testamentary or inter vivos trusts for the care of domestic animals.

[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.]

Co-Sponsors: SEN. BOUCHER, 26th Dist.

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