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Testimony of Barbara A. Taylor
Connecticut Bar Association
Estates and Probate Section

In SUPPORT of Senate Bill 1056

**An Act Concerning the Connecticut Estate Tax
and Codifying the Extension of Time for Making
A Qualified Disclaimer for Federal Estate Tax Purposes**

Judiciary Committee
February 28, 2011

Senator Coleman, Representative Fox, members of the Judiciary Committee, thank you for the opportunity to present this testimony before the committee to comment on the disclaimer provision of Raised Bill No. 1056, An Act Concerning the Connecticut Estate Tax and Codifying the Extension of Time For Making a Qualified Disclaimer for Federal Estate Tax Purposes. My name is Barbara A. Taylor. I am a stockholder of Reid and Riege, P.C., and a member of the Connecticut Bar Association's Estates & Probate Section. The Estates and Probate Section supports this bill and I speak in support of the provisions extending the time for making a qualified disclaimer.

The Estates and Probate Section supports the modification of Sections 45a-579 and 45a-583 to add a sentence extending the filing deadline of certain 2010 disclaimers. This change applies to property passing from decedents who died after December 31, 2009 but prior to December 17, 2010. On December 17, President Obama signed comprehensive federal estate tax legislation dealing with federal estate tax uncertainty for 2010, 2011 and 2012. Included in this legislation was an extension of time to file qualified disclaimers from nine months from the date of the decedent's death to nine months from December 17, 2010, or September 17, 2010. This federal extension allows family members, and other beneficiaries, additional time to decide whether a disclaimer is appropriate in light of the new federal estate tax laws. Connecticut law follows federal law in limiting disclaimers to nine months following a decedent's date of death. It should also follow federal law for decedents dying after December 31, 2009 and prior to December 17, 2010 by allowing a valid disclaimer to be made until September 17, 2010. Without this change, title to disclaimed real estate would not be clear and the time for distribute disclaimed trust property could require court interpretation.

We do not believe there will be any opposition to the important changes to the disclaimer statutes. I would be happy to entertain any questions you may have.