



House of Representatives

General Assembly

File No. 696

January Session, 2013

Substitute House Bill No. 6680

House of Representatives, May 2, 2013

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT CONCERNING ACCESS TO JOINTLY OWNED ASSETS
THAT ARE LOCATED IN A SAFE DEPOSIT BOX.***

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

1 Section 1. (NEW) (*Effective October 1, 2013*) Whenever the sole owner
2 of a safe deposit box dies and the estate of the deceased owner is not
3 subject to administration by a court of probate, the owner's next of kin,
4 spouse or any person showing a sufficient interest in the presence of
5 jointly owned stocks, bonds, annuities or certificates of deposit may
6 apply to the court of probate in the district in which the deceased
7 owner resided for an order to open the deceased owner's safe deposit
8 box to obtain jointly owned stocks, bonds, annuities or certificates of
9 deposit that may be contained therein. The court of probate may issue
10 such order *ex parte*. The safe deposit box shall be opened in the
11 presence of an officer of the bank who shall make return of such order
12 to the court stating: (1) That the jointly owned stocks, bonds, annuities
13 or certificates of deposit were removed from the safe deposit box, or
14 (2) that there were no such jointly owned stocks, bonds, annuities or

15 certificates of deposit in the safe deposit box and nothing was
16 removed.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	New section

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

There is no fiscal impact to the Judicial Department from allowing certain individuals to apply to the Probate Court for an order to open a safe deposit box, whose owner is deceased, to obtain jointly owned stocks, bonds, annuities or certificates of deposit inside.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 6680*****AN ACT CONCERNING ACCESS TO JOINTLY OWNED ASSETS THAT ARE LOCATED IN A SAFE DEPOSIT BOX.*****SUMMARY:**

This bill allows, under specified conditions, the probate court to order the opening of a safe deposit box solely owned by a deceased person whose estate is not subject to probate. The bill applies when the deceased person's next of kin or spouse, or any other sufficiently interested person, applies to the court in the probate district in which the deceased owner resided claiming to jointly own stocks, bonds, annuities, or certificates of deposit believed to be in the safe deposit box. The court can enter this order without giving notice to or hearing from a representative for the deceased. When the box is opened a bank officer must (1) be present and (2) return the court's order stating whether jointly held stocks, bonds, annuities, or certificates of deposit were in the box and, if so, that the respective assets were removed, and, if not, that nothing was removed.

EFFECTIVE DATE: October 1, 2013

BACKGROUND***Opening a Safe Deposit Box to Search for a Will***

Current law allows the probate court to order that a safe deposit box solely owned by a deceased person be opened when the deceased person's next of kin, spouse, or any other sufficiently interested person applies to the court claiming that the deceased person had a will or cemetery deed and that it is in the box. The court can enter this order without giving notice to or hearing from a representative for the deceased. When the box is opened a bank officer must (1) be present and (2) return the court's order stating whether the will or deed was in

the box and, if so, that only it was removed, and, if not, that nothing was removed (C.G.S. §45a-284).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 44 Nay 0 (04/16/2013)