



## State of Connecticut

### SENATE

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Testimony on HB 5044: In Favor of Restoring Funds to the Probate Court System

By Senator Toni Boucher

February 19, 2016

Chairperson Bye, Chairperson Walker, Ranking Member Kane, Ranking Member Ziobron, and other distinguished members of the Appropriations Committee. Thank you for the opportunity to testify in favor of the restoration of funds to the probate courts.

Last year, the general assembly voted to remove state funding from the state probate court system. This vote, combined with the elimination of the fee cap, has yielded what Probate Court Administrator has described as the highest probate fees in the nation. According to the Connecticut Law Tribune, the fees for some of the most valuable estates can exceed \$100,000 dollars. Previously, the fees had been capped at \$12,500.

The dramatic rise in probate fees has angered residents, many of whose assets will also be subject to Connecticut's estate tax. From their perspective, a greatly increased payment to the probate courts resembles not so much a fee, as yet another tax in its own right.

Some wealthier residents have already responded to the estate tax by relocating to other states, and exorbitant probate fees have others considering a similar move. Sadly, their reasoning resembles that of the tens of thousands of residents who have left the state in recent years, fleeing high taxes and an ever rising cost of living. The US Census Bureau has reported that Connecticut lost nearly 28,000 thousand residents between July 2014 and July 2015, one of the highest rates of out-migration in the nation.

Higher probate fees resulting from a loss in state funding will only exacerbate this trend, further shrinking our tax base and increasing deficits at a time when the state is already facing serious revenue shortfalls. I urge the Appropriations Committee to consider the restoration of state funds to the Probate Court system and thank you for your thoughtful attention to this proposal.