



Office of the Attorney General  
State of Connecticut

**TESTIMONY OF**  
**ATTORNEY GENERAL GEORGE JEPSEN**  
**BEFORE THE JUDICIARY COMMITTEE**  
**March 23, 2016**

Good morning Senator Coleman, Representative Tong and distinguished members of the Judiciary Committee. I appreciate the opportunity to testify about HB 5639, *An Act Concerning Connecticut's Leadership in Corporation and Business Law*.

Section 82(b) of the bill provides that "Property held for a charitable purpose under the law of this state by a limited liability company or foreign limited liability company immediately before a transaction under sections 80 to 97, inclusive, of this act becomes effective may not, as a result of the transaction, be diverted from the objects for which it was donated, granted, devised or otherwise transferred unless, to the extent required by or pursuant to the law of this state concerning cy pres or other law dealing with nondiversion of charitable assets, the limited liability company or foreign limited liability company obtains an appropriate order of the Attorney General specifying the disposition of the property." (Emphasis added).

My Office does not issue administrative orders with respect to property held for a charitable purpose. Courts have the exclusive authority and jurisdiction to enter such orders. Pursuant to Section 3-125 of the General Statutes, I am authorized to represent the public interest in court proceedings concerning the use and disposition of property held for charitable purposes. Consistent with this role, I am asking the Committee to amend the pertinent provisions of Section 82(b) of the bill beginning at line 2426 as follows: "the limited liability company or foreign limited liability company provides notice to the Attorney General and obtains an appropriate order of [the Attorney General] a court of competent jurisdiction specifying the disposition of the property."

Thank you for the opportunity to testify about this matter. Please feel free to contact me or my staff with any questions or concerns.