

April 15, 1999

S 1060. DIVISION OF TRUSTS. *TO PROVIDE TRUSTEES WITH ADDITIONAL AUTHORITY TO SEVER TRUSTS INTO SEPARATE TRUSTS CONSISTENT WITH THE BEST INTERESTS OF THE TRUST BENEFICIARIES.* As title indicates. Terms of new trusts must provide in the aggregate for the same succession of interests and beneficiaries as provided in original trust. Specifies manner for funding new trusts.

Intro. by Hagan.

Ref. to Judiciary II

GS 32, 36A

April 26, 1999

S 1060. DIVISION OF TRUSTS. Intro. 4/15/99. Senate committee substitute makes the following changes to 1st edition. The bill adds a new GS 36A-136(24)b. relating to the authority of trustees to divide trusts. The original bill added the authority to divide under certain conditions the funds and properties constituting trusts treated for purposes of federal generation-skipping transfer tax as separate trusts and funds and properties constituting testamentary trusts and trustees included in the gross estate of the grantor for federal tax purposes. The committee substitute instead adds the authority to divide any trusts into two or more separate, nonidentical trusts if (i) the new trusts so created are not inconsistent with the terms of the governing instrument and (ii) the terms of the new trusts provide for the same succession of interests and beneficiaries as provided for in the original trust.

April 28, 1999

S 1060. DIVISION OF TRUSTS. Intro. 4/15/99. Senate amendment makes the following changes to 2nd edition. Changes description of time of valuation of the assets from date of funding to date of division throughout the bill.

May 20, 1999

S 1060. DIVISION OF TRUSTS. Intro. 4/15/99. House amendment makes the following changes to 3rd edition. Changes effective date to October 1, 1999.