



Tony Evers

OFFICE OF THE GOVERNOR

March 29, 2024

TO THE HONORABLE MEMBERS OF THE SENATE:

I am vetoing Senate Bill 667 in its entirety.

This bill would generally create domestic asset preservation trusts as a new type of trust. The bill requires such trusts to contain a spendthrift provision, but the bill modifies current trust law with respect to these provisions to permit the settlor placing assets in the trust to also be the beneficiary of the trust. The bill also modifies current trust law by generally prohibiting creditor claims: (1) against a person transferring assets into a domestic asset preservation trust; (2) against the trustee of such a trust; (3) or against any assets held by such a trust, except in limited circumstances. These limited circumstances include actions taken against asset transfers that were made with the intent to hinder, delay, or defraud a creditor, and actions brought by creditors within a specified period of time from the date of the asset transfer.

I am vetoing this bill in its entirety because I object to allowing domestic asset preservation trusts to be created under Wisconsin law. I am concerned these trusts are likely to be a tool largely used by wealthy individuals to shield their assets from creditors while perpetuating dynastic, intergenerational transfers of wealth. The general, underlying principle of current trust law that prevents a settlor—someone who creates a trust—from being a beneficiary of said trust to receive asset protection from creditors is sound and informed by experience. Further, the bill provisions purportedly aimed at tempering some of the risks associated with these trusts are insufficient.

Respectfully submitted,

Tony Evers
Governor