

2013 DRAFTING REQUEST

Senate Amendment (SA-SB384)

Received: 11/5/2013 Received By: pkahler
Wanted: Today Same as LRB:
For: Paul Farrow (608) 266-9174 By/Representing: Matt Henkel
May Contact: Drafter: pkahler
Subject: Medical Assistance Addl. Drafters:
Probate - trusts and trustees Extra Copies:

Submit via email: YES
Requester's email: Sen.Farrow@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Limit trusts transferring assets to revocable trusts

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 11/5/2013	jdye 11/6/2013		_____			
/1			rschluet 11/6/2013	_____	sbasford 11/6/2013	sbasford 11/6/2013	

FE Sent For:

<END>

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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

/? pkahler 1 11/6/13 jda 11/16/13

FE Sent For:

<END>

Kahler, Pam

From: Henkel, Matt
Sent: Tuesday, November 05, 2013 1:53 PM
To: Kahler, Pam
Subject: trust code bill: simple amendment

Pam, could you have a simple amendment readied for the Trust Code bill to clarify a concern that came up with using the term living trust?

“Property of a decedent” means all real and personal property to which the client held any legal title or in which the client had any legal interest immediately before death, to the extent of that title or interest, including assets transferred to a survivor, heir, or assignee through joint tenancy, tenancy in common, survivorship, life estate, ~~living~~-revocable trust, or any other arrangement, excluding a ~~living~~-trust that is not revocable.

on irrevocable trust

-Matt

Matthew Henkel
Office of Senator Paul Farrow
Room 323 South, State Capitol
(608) 266-9174



rm not read

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~
SENATE AMENDMENT,
TO SENATE BILL 384

*needed
Wed by 11 am*

1 At the locations indicated, amend the bill as follows: ✓

2 1. Page 16, line 9: delete lines 9 and 10 and substitute: ✓

3 "SECTION 6c. 46.27 (7g) (a) 5. a. of the statutes, as created by 2013 Wisconsin

4 Act 20, is renumbered 46.27 (7g) (a) 5. and amended to read: ✓

5 46.27 (7g) (a) 5. "Property of a decedent" means all real and personal property

6 to which the client held any legal title or in which the client had any legal interest

7 immediately before death, to the extent of that title or interest, including assets

8 transferred to a survivor, heir, or assignee through joint tenancy, tenancy in common,

9 survivorship, life estate, living revocable trust, or any other arrangement, excluding

10 an irrevocable trust." ✓

History: 1981 c. 20; 1983 a. 27; 1983 a. 189 s. 329 (5); 1983 a. 192, 239; 1985 a. 29 ss. 876s to 896am, 3200 (56); 1985 a. 120, 176; 1987 a. 27, 399; 1989 a. 31, 77, 336, 359; 1991 a. 32, 39, 235, 274; 1993 a. 16, 27, 437; 1995 a. 27; 1997 a. 13, 27, 39, 79, 237; 1999 a. 9, 63; 2001 a. 16, 103; 2003 a. 33; 2005 a. 22, 25, 264, 386, 387; 2007 a. 20 ss. 904 to 921, 9121 (6) (a); 2007 a. 141; 2009 a. 2; 2011 a. 32; 2013 a. 20; s. 13.92 (1) (bm) 2.

11 2. Page 18, line 14: delete lines 14 and 15 and substitute:

1 “**SECTION 18c.** 49.496 (1) (cm) 1. of the statutes, as created by 2013 Wisconsin
2 Act 20, is renumbered 49.496 (1) (cm) and amended to read:

3 49.496 (1) (cm) “Property of a decedent” means all real and personal property
4 to which the recipient held any legal title or in which the recipient had any legal
5 interest immediately before death, to the extent of that title or interest, including
6 assets transferred to a survivor, heir, or assignee through joint tenancy, tenancy in
7 common, survivorship, life estate, living revocable trust, or any other arrangement,
8 excluding an irrevocable trust.”

History: 1991 a. 39, 269; 1993 a. 301, 437, 491; 1995 a. 27; 1997 a. 27; 1999 a. 9; 2003 a. 33; 2007 a. 20; 2009 a. 15; 2013 a. 20.

9 **3.** Page 19, line 16: delete lines 16 and 17 and substitute:

10 “**SECTION 24c.** 49.682 (1) (e) 1. of the statutes, as created by 2013 Wisconsin Act
11 20, is renumbered 49.682 (1) (e) and amended to read:

12 49.682 (1) (e) “Property of a decedent” means all real and personal property to
13 which the client held any legal title or in which the client had any legal interest
14 immediately before death, to the extent of that title or interest, including assets
15 transferred to a survivor, heir, or assignee through joint tenancy, tenancy in common,
16 survivorship, life estate, living revocable trust, or any other arrangement, excluding
17 an irrevocable trust.”

History: 1995 a. 27 ss. 3044b to 3044j; Stats. 1995 s. 49.682; 1995 a. 225 ss. 127, 128; 1999 a. 9; 2013 a. 20.

18 **4.** Page 20, line 17: delete lines 17 and 18 and substitute:

19 “**SECTION 30c.** 49.849 (1) (d) 1. of the statutes, as created by 2013 Wisconsin Act
20 20, is renumbered 49.849 (1) (d) and amended to read:

21 49.849 (1) (d) “Property of a decedent” means all real and personal property to
22 which the recipient held any legal title or in which the recipient had any legal
23 interest immediately before death, to the extent of that title or interest, including
24 assets transferred to a survivor, heir, or assignee through joint tenancy, tenancy in

1 common, survivorship, life estate, living revocable trust, or any other arrangement,

2 excluding an irrevocable trust. (•)

History: 2013 a. 20 ss. 1222, 2305, 2307, 2308, 2310 to 2312, 2314 to 2317.

3 (END)