

1st Sub. H.B. 299
TRUST LAW AMENDMENTS

Representative **David Clark** proposes the following amendments:

1. Page 5, Line 123: After "in trust" insert "to a trust company as defined in Subsection 7-5-1(1)(d)"
2. Page 6, Line 162: At the end of the line, delete "or"
3. Page 6, Line 163: At the end of the line, delete the "." and insert ": or"
4. Page 6, Line 163: After line 163, insert:
"(vii) at any time before or after the transfer in trust is made, the settlor is or becomes subject to a claim or tax of the state, its agencies, or political subdivisions."
5. Page 11, Line 323: Restore "(A)" and delete the rest of the line
6. Page 11, Line 324: At the beginning of the line, delete "a"
7. Page 11, Line 333: After line 333, insert:
"(4)(a) Income in a trust consisting of interest, capital gains, and dividends will not be subject to the tax specified in this section if:
(i) the trust first became a resident trust on or after January 1, 2004;
and
(ii) the trustee of the trust is a trust company as defined in Subsection 7-5-1(1)(d).
(b) For the purposes of this section, interest, capital gains, and dividends do not include:
(i) Subchapter S dividends that represent ordinary income;
(ii) investment income from a pass-through entity;
(iii) rents; and
(iv) royalties. "
8. Page 20, Line 613: Before "75-7-601(3)" delete "Subsection" and insert "Subsections"; after "75-7-601" insert "(2) and"

9. Page 22, Line 655: Delete "Subsection" and insert "Subsections"; after "75-7-601" insert "(2) and"
10. Page 23, Line 704: Before "75-7-601(3)", delete "Subsection" and insert "Subsections"; after "75-7-601" insert "(2) and"
11. Page 29, Lines 864 - 866: Delete lines 864 through 866
12. Page 29, Lines 869 - 874: Delete lines 869 through 874
- Renumber Section 75-7-601 accordingly.
13. Page 29, Line 875: After "qualified" delete "person" and insert "trustee"; delete "as a trustee"
14. Page 30, Line 897: Delete "Subsection" and insert "Subsections"; after "75-7-601" insert "(2) and"
15. Page 30, Line 900: Delete "Subsection" and insert "Subsections"; after "75-7-601" insert "(2) and"