

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

Date

April 8, 2014

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB14-1322 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 15, strike lines 15 through 25 and substitute:

2 "(d) LIFE INSURANCE, ACCIDENT INSURANCE, PENSION, PROFIT
3 SHARING, RETIREMENT, AND OTHER BENEFIT PLANS PAYABLE TO PERSONS
4 OTHER THAN THE DECEDENT'S SURVIVING SPOUSE OR THE DECEDENT'S
5 ESTATE ARE EXCLUDED FROM THE AUGMENTED ESTATE."

6 Page 19, strike line 4 and substitute "SECTION 15-12-904, BUT INTEREST
7 SHALL COMMENCE TO RUN ONE YEAR AFTER DETERMINATION OF THE
8 ELECTIVE SHARE AMOUNT BY THE COURT. THIS SUBSECTION (4) APPLIES
9 ONLY TO ESTATES OF DECEDENTS WHO DIE ON OR AFTER THE EFFECTIVE
10 DATE OF THIS ACT."

11 Page 31, after line 11 insert:

12 "**SECTION 7.** In Colorado Revised Statutes, 15-14-724, **amend**
13 (1) (g) (I) as follows:

14 **15-14-724. Authority that requires specific grant - grant of**
15 **general authority.** (1) An agent under a power of attorney may do the
16 following on behalf of the principal or with the principal's property only
17 if the power of attorney expressly grants the agent the authority and
18 exercise of the authority is not otherwise prohibited by another agreement
19 or instrument to which the authority or property is subject:

20 (g) Exercise:

21 (I) A power held by the principal in a fiduciary capacity THAT THE
22 PRINCIPAL HAS THE AUTHORITY TO DELEGATE;"

23 Renumber succeeding sections accordingly.

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