

Colorado Legislative Council Staff Fiscal Note

**STATE
FISCAL IMPACT**

Drafting Number: LLS 15-0533	Date: January 13, 2015
Prime Sponsor(s): Rep. Kraft-Tharp; Nordberg Sen. Jahn	Bill Status: House Business, Affairs and Labor Fiscal Analyst: Clare Pramuk (303-866-2677)

BILL TOPIC: TRUSTEE NOTICE SYSTEM PRESUME NOTIFY BENEFICIARY

Fiscal Impact Summary	FY 2015-2016	FY 2016-2017
State Revenue		
State Expenditures	Minimal workload increase. See State Expenditures section.	
FTE Position Change		
Appropriation Required: None.		

Summary of Legislation

This bill modifies the duties of trustees when administering a trust. Under current law, trustees are required to keep beneficiaries of a trust informed about the status of the trust. This bill creates a presumption that a beneficiary has received information about the status of the trust when the trustee has procedures in place requiring the mailing or delivery of the information or a statement of account to the beneficiary. This presumption applies to both electronic notifications if the beneficiary has agreed to receive information electronically, and receipt of the final account or statement showing the termination of the trust.

State Expenditures

The courts have exclusive jurisdiction over trusts. This bill may cause an increase in new hearings in which beneficiaries claim that they did not receive trust information or a statement of account, but this is not expected to significantly increase the workload of the courts, so no new appropriations are required.

Effective Date

The bill takes effect August 5, 2015, if the General Assembly adjourns on May 6, 2015, as scheduled, and no referendum petition is filed, and applies to conduct occurring on or after that date.

State and Local Government Contacts

Judicial Department