

ALASKA STATE SENATE

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SENATOR JOHN COGHILL

Sponsor Statement

SB 65 – Uniform Probate Code: Trusts, Wills, Roth IRA, Probate

Alaska first modernized its trust and estate legislation in 1997. Since then, the trust and estate planning community continuously makes recommendations to the Legislature for updates and improvements to Alaska's trust and estate laws to ensure that Alaska can continue to provide the best possible planning solutions. Alaska's trust and estate laws have significant impact on our economy, bringing literally millions of dollars to the state and creating jobs within the trust, banking, insurance, and legal fields.

SB 65 provides for amendments to statute in the following areas:

- Extends protection for retirement plan assets to the beneficiaries of retirement plans (often the surviving spouse).
- Provides means of representation for minors and incapacitated persons in dealing with settlements of accounts or settlement agreements.
- Amends the 2003 Alaska Principal and Income Act to conform to current IRS regulations.
- Provides rules concerning who may control the disposition of decedents' remains.
- Makes conforming amendments to Alaska's laws regarding insurable interests to align with changes to the Uniform Trust Code.
- Provides that IRA interests can be voluntarily transferred to a family member or trust.
- Makes amendments to Alaska's community property provisions to update and clarify the ownership of community property.
- Shortens the statute of limitations for creditors' claims for transfers into an irrevocable trust.
- Increases protections for L.L.C. and Limited Partnership interests.
- Allows a beneficiary to extend the time funds will be held in a Uniform Transfer to Minors Account.
- Makes Alaska a more attractive place for residents to transfer non-grantor trusts.

Passage of SB 65 will ensure that Alaska remains the premier state in which to establish trusts and estates.

I urge your support for this important legislation.