

SB2509



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2509

Introduced 1/6/2010, by Sen. Kirk W. Dillard

SYNOPSIS AS INTRODUCED:

755 ILCS 5/16.2 new

Amends the Trusts and Trustees Act. Provides that a trust beneficiary may not be considered to be a settlor or to have made a transfer to the trust merely because of a lapse, release, or waiver of his or her power of withdrawal to the extent the value of the affected property does not exceed amounts specified in the Internal Revenue Code. Effective immediately.

LRB096 14820 AJ0 29683 b

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Trusts and Trustees Act is amended by adding
5 Section 16.2 as follows:

6 (755 ILCS 5/16.2 new)

7 Sec. 16.2. Lapse of power to withdraw. A beneficiary of a
8 trust may not be considered to be a settlor or to have made a
9 transfer to the trust merely because of a lapse, release, or
10 waiver of his or her power of withdrawal to the extent that the
11 value of the affected property does not exceed the greatest of
12 the amounts specified in Sections 2041(b)(2), 2514(e), and
13 2503(b) of the Internal Revenue Code.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.