

HB0870/422318/1

BY: House Judiciary Committee

AMENDMENTS TO HOUSE BILL 870
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “programs;” insert “altering a certain provision in a certain statutory form for a limited power of attorney relating to the authority of an agent to make a gift of part or all of a principal’s property or to take certain actions with respect to certain trusts under certain circumstances; making certain stylistic changes on a certain statutory form for a limited power of attorney;”.

AMENDMENT NO. 2

On page 6 in lines 22 and 23 and on page 23 in lines 10 and 11, in each instance, strike “**ASSIST THE PRINCIPAL IN MEETING THE ELIGIBILITY REQUIREMENTS AND QUALIFYING**” and substitute “ENABLE THE PRINCIPAL TO QUALIFY”.

On page 6, in line 23, after “PROGRAM” insert “, INCLUDING OBTAINING PERSONAL AND FINANCIAL RECORDS AND, TO THE EXTENT AUTHORIZED IN THE SPECIAL INSTRUCTIONS BELOW, TO TRANSFER OR GIFT THE PRINCIPAL’S PROPERTY”.

On page 23 in line 12, after “PROGRAM” insert “, INCLUDING OBTAINING PERSONAL AND FINANCIAL RECORDS AND, TO THE EXTENT SPECIFICALLY AUTHORIZED BELOW, TO TRANSFER OR GIFT THE PRINCIPAL’S PROPERTY”.

On page 25, in line 4, strike “(including gifts to” and substitute “AND TRANSFERS – WITH RESPECT TO THIS SUBJECT, I AUTHORIZE MY AGENT TO:

() MAKE A GIFT OR TRANSFER TO A PERSON, OR CREATE AND FUND FOR THE BENEFIT OF A PERSON, INCLUDING THE PRINCIPAL;”;

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in line 6, strike “and”; strike beginning with the parentheses in line 7 down through “gift” in line 9 and substitute “, OR A SPECIAL NEEDS TRUST OR ANY TRUST AUTHORIZED UNDER § 1917 OF THE FEDERAL SOCIAL SECURITY ACT,”; in line 33, strike “My agent MAY NOT” and substitute “IN ADDITION, MY AGENT MAY”; and in the same line, strike “UNLESS” and substitute “ONLY IF”.

On page 26, after line 7, insert:

“() TAKE ANY OF THE ACTIONS I HAVE AUTHORIZED IN SECTION N OF THIS POWER OF ATTORNEY WITHOUT RESTRICTION ON THE AMOUNT OF THE GIFT OR TRANSFER

() TAKE ANY OF THE ACTIONS I HAVE AUTHORIZED IN SECTION N IN FAVOR OF MY AGENT”;

in line 8, after “Create” insert “AND FUND”; in line 10, strike “OR A POOLED TRUST ACCOUNT” and substitute “, ANY TRUST AUTHORIZED UNDER § 1917 OF THE FEDERAL SOCIAL SECURITY ACT, OR A THIRD PARTY SPECIAL NEEDS TRUST”; in line 11, after “CODE” insert a comma; and in line 20, strike “AT THE EARLIEST POSSIBLE TIME”.