

2016 ESTATE TAX LEGISLATIVE BULLETIN

(2016 Regular Session)



Appeals and Legal Services Division
600 North Robert Street
Saint Paul, Minnesota 55146-2220

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Obsolete reference. Minn. Stat. § 291.031, subd. (a)(2), was amended to correct an erroneous use of the words “under this section.” Effective August 1, 2016. 2016 Minn. Laws, ch. 158, art. 1, § 161.

Modification of governing documents. Minn. Stat. § 524.2-806 was added to specify that the probate court may retroactively modify governing documents in order to achieve certain tax objectives provided for in a decedent’s will. Permitted objectives include qualification for: 1) the use of a Qualified Terminable Interest Property “QTIP” trust for estate tax purposes; 2) the estate tax marital deduction; 3) the estate tax charitable deduction; 4) the creation of an interest exempt from generation skipping tax; and 5) the creation of a trust that can qualify as an S corporation shareholder. Effective August 1, 2016. 2016 Minn. Laws, ch. 135, art. 6, § 29.