

# MINNESOTA • REVENUE

## ESTATE TAX

### Provision in Uniform Probate Code to Ensure Transferor's Tax Objectives

April 20, 2016

	Yes	No
DOR Administrative Costs/Savings		X

Department of Revenue

Analysis of H.F. 2515 (Smith) 2<sup>nd</sup> Engrossment, Section 10, As Proposed to be Amended (H2515A3)

Effective August 1, 2016.

This bill adds a section to the Uniform Probate Code to provide that courts may modify a governing instrument in order to make sure that a transferor's probable intentions are achieved. As proposed to be amended, the bill states that for tax objectives that are clearly provided for in the deceased's will, the court may modify the terms of a governing instrument in order to achieve the deceased's probable intention.

This is a probate bill and not a tax bill. Given that it is designed to codify existing practices of the courts, it is expected that it will have no impact on estate tax revenues.

Source: Minnesota Department of Revenue  
Tax Research Division  
[www.revenue.state.mn.us/research\\_stats/Pages/  
Revenue-Analyses.aspx](http://www.revenue.state.mn.us/research_stats/Pages/Revenue-Analyses.aspx)

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