

**REVENUE:** No revenue impact

**FISCAL:** No fiscal impact

---

<b>Action:</b>	Do Pass
<b>Vote:</b>	3 - 0 - 2
<b>Yeas:</b>	Beyer, Kruse, Burdick
<b>Nays:</b>	0
<b>Exc.:</b>	Prozanski, Walker
<b>Prepared By:</b>	Bill Taylor, Counsel
<b>Meeting Dates:</b>	3/1

---

**WHAT THE MEASURE DOES:** Allows a conservator to close out the conservatorship and create a trust for a protected person if: (1) The trust is created for the purpose of qualifying the protected person for needs-based government benefits or maintaining the eligibility of the protected person for needs-based government benefits; (2) The value of the conservatorship estate does not exceed \$50,000; (3) The purpose of establishing the conservatorship was to create the trust; or (4) The conservator convinces the court there are other good reasons to terminate the trust. Applies to conservatorships established prior to, on, or after the effective date of this measure.

**ISSUES DISCUSSED:**

- Upon the protected person's death, state could collect funds from the trust
- Special needs trusts

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** A conservator is a person a court appoints to manage the property of another person who, due to immaturity, mental disability or advanced age (a protected person), cannot manage his or her own property. The protected person may also be eligible for certain needs-based government benefits if the property the conservator oversees for the protected person is placed in a supplemental needs trust.