

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended be Printed Engrossed
Vote:	9 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Hicks, Krieger, Olson, Tomei, Williamson, Barker
Nays:	0
Exc.:	0
Prepared By:	Anna Braun, Counsel
Meeting Dates:	5/15, 5/22

WHAT THE MEASURE DOES: Revises the Oregon Uniform Trust Code. Provides two new definitions of beneficiary. Changes notice requirements to remote beneficiaries. Clarifies who can enter into a non-judicial settlement agreement and the effect of filing the agreement in court. Decreases the time period for filing objections from 120 to 60 days. Clarifies charitable trust distribution. Allows modification of irrevocable trust. Applies abatement rules to trusts. Makes other specified changes to trust administration.

ISSUES DISCUSSED:

- Importance of Oregon Law Commission
- Work group included Oregon State Bar sections

EFFECT OF COMMITTEE AMENDMENT: Provides that if the trust is an owner of a corporation as opposed to “sole” owner of a corporation the trust must be administered for the interest of the beneficiaries under ORS 130.655. This reconciles trust law with corporate law.

BACKGROUND: Senate Bill 592 B is sponsored by the Oregon Law Commission and seeks to balance the interests of beneficiaries with the need for efficient administration of trusts. It allows non-judicial settlement agreements for trust modification, a means for a trustee to get advanced authorization for certain actions after notice to beneficiaries and changes delegation rules, removal and appointment of advisors. The Oregon Uniform Trust Code was overhauled in 2006 and much of the national Uniform Trust Code was adopted at that time.