

BILL ANALYSIS

H.B. 1501
By: Casteel
Judiciary
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Tax motivated gifts are of a nature that some persons will want to make them annually or on some other periodic basis. This bill would allow greater flexibility for a guardian to make such gifts on behalf of a ward without the necessity of making multiple applications to the court.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends Section 865 of the Probate Code by adding a new subsection (f) which would allow a court to authorize a guardian to make annual or otherwise periodic tax motivated gifts. The authorization could be subsequently withdrawn or modified by the court on a finding of changed circumstances.

EFFECTIVE DATE

September 1, 2005