

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 1196

(SENATE AUTHORS: DIBBLE)

DATE	D-PG	OFFICIAL STATUS
02/26/2015	446	Introduction and first reading Referred to Judiciary
03/12/2015		Comm report: To pass as amended Second reading

1.1 A bill for an act
 1.2 relating to trusts; providing for animal care; proposing coding for new law in
 1.3 Minnesota Statutes, chapter 501B.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **[501B.011] TRUST FOR CARE OF ANIMAL.**

1.6 **Subdivision 1. Purpose; termination.** A trust may be created to provide for the
 1.7 care of an animal alive during the grantor's lifetime. The trust terminates upon the death of
 1.8 the animal or, if the trust was created to provide for the care of more than one animal alive
 1.9 during the grantor's lifetime, upon the death of the last surviving animal.

1.10 **Subd. 2. Enforcement of trust.** A trust authorized by this section may be enforced
 1.11 by a person appointed in the terms of the trust or, if no person is appointed, by a person
 1.12 appointed by a court. A person having an interest in the welfare of the animal may request
 1.13 the court to appoint a person to enforce the trust or to remove an appointed person.

1.14 **Subd. 3. Application of trust property.** Property of a trust authorized by this
 1.15 section may be applied only to its intended use, except to the extent a court determines
 1.16 that the value of the trust property exceeds the amount required for the intended use.
 1.17 Upon termination of the trust, or if the court determines the trust has excess funds, the
 1.18 trustee shall transfer the unexpended or excess trust property pursuant to the terms of the
 1.19 trust instrument or, if there is no provision in the trust instrument, then the trust passes
 1.20 to the grantor's heirs-at-law determined as if the grantor died intestate domiciled in this
 1.21 state at the time of distribution.

1.22 **Subd. 4. Public health programs and trusts.** An irrevocable inter vivos trust
 1.23 created under this section is subject to section 501B.895.