

# HOUSE BILL REPORT

## HB 1159

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**As Passed House:**

February 12, 1999

**Title:** An act relating to updating the probate and trust law to comport with Internal Revenue Code language.

**Brief Description:** Comporting with Internal Revenue Code language.

**Sponsors:** Representatives Hurst, Sheahan, Constantine and Kenney.

**Brief History:**

**Committee Activity:**

Judiciary: 1/12/99, 1/28/99, 2/2/99 [DP].

**Floor Activity:**

Passed House: 2/12/99, 94-0.

**Brief Summary of Bill**

- Makes a technical change to the statute governing marital deduction gifts in probate and trust law.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 12 members: Representatives Carrell, Republican Co-Chair; Constantine, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Cox; Dickerson; Edmonds; Esser; Kastama; Lantz; McDonald and Schindler.

**Staff:** Trudes Hutcheson (786-7384).

**Background:**

Under the Internal Revenue Code (IRC), every person is given a tax credit that can be used against federal estate taxes. Because the credit is calculated as a credit against the total tax due for gifts made during the person's life and gifts made at the person's death, combined, it is sometimes referred to as the "unified credit."

Washington's statute governing marital deduction gifts in trusts and estate law refers to this IRC credit as the "unified credit." However, the IRC does not use or define the term "unified credit," but simply refers to it as the "credit."

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**Summary of Bill:**

A technical change is made to the statute governing marital deduction gifts in trust and estate law. The term "unified credit" is changed to the "credit" for the sake of consistency with the Internal Revenue Code.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This is a technical bill that will help to clarify the existing law.

**Testimony Against:** None.

**Testified:** (In support) Al Montgomery, Washington State Bar Association.