

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6212**

**BILL NUMBER: SB 65**

**NOTE PREPARED: Jan 26, 2010**

**BILL AMENDED: Jan 21, 2010**

**SUBJECT:** Guardianships.

**FIRST AUTHOR:** Sen. Zakas

**FIRST SPONSOR:** Rep. VanHaften

**BILL STATUS:** As Passed Senate

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** No Fiscal Impact

**Summary of Legislation:** (Amended) This bill specifies the requirements of an affidavit used to state that no inheritance tax is due after applying statutory exemptions to each transferee receiving property as a result of the decedent's death. It requires that inheritance tax returns include all taxable transfers known to the person filing the return. It specifies a guardian's powers concerning the estate planning of a protected person. It repeals the current statute governing a guardian's authority to engage in estate planning for a protected person. The bill also makes various changes to statutes concerning the following: (1) the transfer on death of motor vehicles and watercraft; (2) probate notice requirements; (3) protected persons; (4) funeral declarations; (5) attorneys in fact; (6) nonprobate transferees; (7) the Transfer on Death Act; and (8) disclaiming interests in property.

(The introduced version of this bill was prepared by the Probate Code Study Commission.)

**Effective Date:** July 1, 2009 (retroactive); July 1, 2010.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:**

**Information Sources:**

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