AMENDED--NOT PRINTED IN THE HOUSE

Amt. No. 1 (Doc. Path council\bbm\9778htc10)

May 18, 2010

**S. 1348**

Introduced by Senator Campsen

S. Printed 5/12/10--H.

Read the first time April 28, 2010.

**A** **BILL**

TO AMEND CHAPTER 16, TITLE 12 OF THE 1976 CODE, RELATING TO THE ESTATE TAX, BY ADDING SECTION 12‑16‑1960 TO PROVIDE THAT THE WILL OR TRUST OF A DECEDENT WHO DIES IN 2010 THAT CONTAINS CERTAIN FORMULAE SHALL BE DEEMED TO REFER TO THE FEDERAL ESTATE TAX LAW AS IT APPLIED ON DECEMBER 31, 2009.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The personal representative, trustee, or any affected beneficiary under the will, trust, or other instrument of a will, trust, or other instrument of a decedent who dies after December 31, 2009, and before January 1, 2011, may bring a proceeding to determine whether the decedent intended that formulae under the instrument be construed with respect to the law as it existed after December 31, 2009. The proceeding must be commenced within twelve months following the death of the decedent.

SECTION 2. This act takes effect upon approval by the Governor.

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