~~Indicates Matter Stricken~~

Indicates New Matter

RECALLED

April 27, 2011

**H. 4061**

Introduced by Rep. Harrison

S. Printed 4/27/11--H.

Read the first time April 12, 2011.

**A** **BILL**

TO AMEND SECTION 62‑2‑612, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROBATE PROCEEDINGS TO DETERMINE A DECEDENT’S INTENT REGARDING THE APPLICATION OF CERTAIN FEDERAL TAX FORMULAS, SO AS TO IMPOSE CERTAIN TIME LIMITS ON THE AVAILABILITY OF THESE PROCEEDINGS.

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

SECTION 1. Section 62‑2‑612 of the 1976 Code, as added by Act 251 of 2010, is amended to read:

“Section 62‑2‑612. The personal representative, trustee, or any affected beneficiary under a will, trust, or other instrument of a decedent who dies or did die after December 31, 2009, and before January 1, 2011, may, before December 31, 2012, bring a proceeding to determine the decedent’s intent when the will, trust, or other instrument contains a formula that is based on the federal estate tax or generation‑skipping tax. ~~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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