

AMENDMENTS TO HOUSE BILL NO. 706

Sponsor: REPRESENTATIVE GREINER

Printer's No. 731

1 Amend Bill, page 1, lines 10 and 11, by striking out
2 "providing for revocable trusts treated as part of estate" and
3 inserting

4 further providing for returns of married individuals, deceased
5 or disabled individuals and fiduciaries

6 Amend Bill, page 1, lines 14 through 21; page 2, lines 1
7 through 22; by striking out all of said lines on said pages and
8 inserting

9 Section 1. Section 331(g) of the act of March 4, 1971
10 (P.L.6, No.2), known as the Tax Reform Code of 1971, is amended
11 to read:

12 Section 331. Returns of Married Individuals, Deceased or
13 Disabled Individuals and Fiduciaries.--* * *

14 (g) The return for an estate or trust shall be made and
15 filed by the fiduciary. If two or more fiduciaries are acting
16 jointly, the return may be made by any one of them. If the
17 executor of the estate and trustee of the trust make an election
18 under section 645 of the Internal Revenue Code of 1986 (Public
19 Law 99-514, 26 U.S.C. § 645), as amended January 1, 2019, to
20 treat the income of the trust as part of the estate, the
21 fiduciary may make and file a joint tax return for the estate
22 and trust under this subsection for the taxable years when the
23 trust income is reported as part of the estate income in
24 accordance with section 645 of the Internal Revenue Code of
25 1986, as amended January 1, 2019. For purposes of this article,
26 the estate and trust shall remain separate taxpayers and the
27 income of the estate and trust shall be calculated and reported
28 separately. If the income tax liabilities of the estate and
29 trust are filed on a joint tax return under this subsection, the
30 tax liabilities of the estate and trust shall be joint and
31 several. The provisions of subsection (d) shall be applicable to
32 a joint tax return filed under this subsection.

33 Amend Bill, page 2, line 23, by striking out "addition" and

1 inserting

2 amendment

3 Amend Bill, page 2, line 23, by striking out "336.3" and

4 inserting

5 331(g)