

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2026 REGULAR SESSION
Unofficial Document

Amend printed copy of **HB 757/HCS 1**

On page 344, after line 1, insert:

"➔Section 109. KRS 141.030 is amended to read as follows:

- (1) The tax imposed by KRS 141.020 upon individuals shall apply to estates and trusts and to all fiduciaries. This tax shall be paid annually upon the net income of estates and of any property held in trust at the rates specified in KRS 141.020.
- (2) The fiduciary shall be responsible for making the return of income for the person for whom he acts, whether the income is taxable to the fiduciary or to the beneficiaries of the income.
- (3) (a) For taxable years beginning on or after January 1, 2026, an incomplete gift nongrantor trust shall be taxed as a grantor trust.
- (b) As used in this subsection, "incomplete gift nongrantor trust" means the:
 - 1. Trust would be subject to the tax imposed by KRS 141.020, if the trust would be treated as a grantor trust in accordance with Sections 671 to 679 of the Internal Revenue Code; and
 - 2. Grantor's transfer of assets to the trust is treated as an incomplete gift under Section 2511 of the Internal Revenue Code."; and

Renumber subsequent sections accordingly; and

On page 345, line 17, delete "111" and insert "112" in lieu thereof.

Amendment No. HFA

Rep. Rep. Lindsey Burke

Committee Amendment _____

Signed: _____

Floor Amendment _____

LRD Drafter: _____

Adopted: _____

Date: _____

Rejected: _____

Doc. ID: XXXX

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