
ASSEMBLY BILL NO. 524—COMMITTEE ON JUDICIARY

MARCH 15, 1999

Referred to Committee on Judiciary

SUMMARY—Expressly validates trusts for care of animals. (BDR 13-329)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to trusts; expressly validating a trust for the care of an animal; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 163 of NRS is hereby amended by adding thereto
2 a new section to read as follows:
- 3 ***1. A trust for the care of an animal living at the settlor's death is***
4 ***valid. The trust terminates upon the death of all animals covered by the***
5 ***terms of the trust. A settlor's expression of intent must be liberally***
6 ***construed to bring the transfer within this subsection and to avoid a***
7 ***merely precatory disposition.***
- 8 ***2. Property of a trust authorized by this section may not be applied to***
9 ***a use other than its intended use except to the extent the court determines***
10 ***that the value of the trust property exceeds the amount required for the***
11 ***intended use. Except as otherwise directed by the terms of the trust,***
12 ***property not required for the intended use must be distributed to those***
13 ***who would take the trust property if the trust had terminated on the date***
14 ***of the distribution.***
- 15 ***3. The intended use of a trust authorized by this section may be***
16 ***enforced by a person designated for that purpose in the terms of the trust***
17 ***or, if there is no such person, by a person appointed by the court. A***

1 *person having a demonstrated interest in the welfare of the animal may*
2 *petition for an order appointing or removing the person designated to*
3 *enforce the trust. The court shall give preference for appointment to a*
4 *person having such a demonstrated interest.*

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