

**SENATE . . . . . No. 3057**

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**The Commonwealth of Massachusetts**

—  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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SENATE, July 26, 2022.

The committee on Senate Ways and Means, to whom was referred the House Bill to preserve special needs trusts for disabled seniors (House, No. 4792),-- reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3057.

For the committee,  
Michael J. Rodrigues

**The Commonwealth of Massachusetts**

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1           Section 28 of chapter 118E of the General Laws, as appearing in the 2020 Official  
2 Edition, is hereby amended by adding the following paragraph:-

3           The division shall consider a transfer of assets by an individual age 65 or older or a  
4 transfer made for the sole benefit of an individual age 65 or older into a trust pursuant to 42  
5 U.S.C. 1396p(d)(4)(C), established for the sole benefit of the individual, to be a disposal of  
6 resources for fair market value to the extent that such resources shall, under any circumstance, be  
7 used by the trustee to provide goods or services to the individual at fair market value.