

MTC Uniformity Recommendation Defining the Residence of a Funeral Trust
Statutory or Regulatory Provision

A resident of this state includes

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a trust whose trustee has elected treatment as a Qualified Funeral Trust pursuant to ^{alternative 1:} [§685 of the Internal Revenue Code of 1986] ^{alternative 2:} [citation to specific state code provision establishing “qualified funeral trust”] where, at the time of the initial funding of the trust, the trust is required to be established under the laws of this state, or, in the absence of such a requirement, where a funeral home or cemetery located in this state is identified to provide the services or merchandise or both under the terms of pre-need contract requiring the establishment of the trust.