

STATE OF CONNECTICUT



ANNUAL REPORT

2024

of the

CONNECTICUT COMMISSION ON UNIFORM LEGISLATION

April 25, 2025

Room 5100

Legislative Office Building

Hartford, CT 06106-1591

**CONNECTICUT
COMMISSION ON UNIFORM LEGISLATION**

**COMMISSIONERS
2025**

David D. Biklen, *Chair*

Mary M. Ackerly

William R. Breetz, Jr

Abbe R. Gluck

Barry C. Hawkins

John H. Langbein

Louise M. Nadeau

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I. PREAMBLE

To the Honorable Edward Miner Lamont, Jr., Governor of the State of Connecticut, Representative Matthew Ritter, Speaker of the House of Representatives, Senator Martin Looney, Senate President Pro Tempore, and the Honorable Members of the Connecticut General Assembly. The Connecticut Commissioners on Uniform State Laws respectfully submit this annual report.

II. OVERVIEW OF UNIFORM LAW COMMISSION

The Uniform Law Commission (ULC), also known as the National Conference of Commissioners on Uniform State Laws, has worked for the uniformity of state laws since 1892. It is comprised of state commissions on uniform laws from each state, the District of Columbia, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands. Each jurisdiction determines the method of appointment and the number of commissioners appointed.

Most jurisdictions provide for their commission by statute. The longstanding statutory authority governing Connecticut's uniform law commission can be found at Section 2-80 of the Connecticut General Statutes.

There is only one fundamental requirement for the more than 300 uniform law commissioners: that they are members of the bar. While some commissioners serve as state legislators and other state officials, most are practitioners, judges and law professors. Uniform law commissioners serve for specific terms and receive no salaries or fees for their work with the Uniform Law Commission.

Commissioners study and review the law of the states to determine which areas of law should be uniform. The commissioners promote the principle of uniformity by drafting and proposing specific statutes in areas of the law where uniformity among the states is desirable. The ULC can only propose law – no uniform law is effective until a state legislature adopts it.

The work of the ULC simplifies the legal life of businesses and individuals by providing rules and procedures that are consistent from state to state. Representing both state government and the legal profession, the ULC is a genuine coalition of state interests. The ULC has sought to

bring uniformity to the divergent legal traditions of more than 50 jurisdictions – and has done so with significant success.

III. HISTORY

On August 24, 1892, representatives from seven states – Delaware, Georgia, Massachusetts, Michigan, New York, New Jersey and Pennsylvania – met in Saratoga Springs, New York, to form what is now known as the Uniform Law Commission. Connecticut became a member of the Commission the following year. One of the first Presidents of the Commission was Lyman D. Brewster from Connecticut – who served five successive terms from 1896 to 1901.

By 1912, every current member state and territory, except the U.S. Virgin Islands, was a member of the ULC. The U.S. Virgin Islands was the last jurisdiction to join, appointing its first commissioner in 1988.

Very early on the ULC became known as a distinguished body of lawyers. The ULC has attracted some of the best of the profession. In 1901, Woodrow Wilson became a member. This, of course, was before his more notable political prominence and service as President of the United States. Several persons, later to become Justices of the Supreme Court of the United States, have been members: former Justices Brandeis, Rutledge, and Souter, and former Chief Justice Rehnquist. Legal scholars have served in large numbers, including Professors Wigmore, Williston, Pound and Bogert. Many more distinguished lawyers have served since 1892.

In each year of service, the ULC steadily increased its contribution to state law. Since its founding, the ULC has drafted more than 200 uniform laws on numerous subjects and in various fields of law, setting patterns for uniformity across the nation. Uniform Acts include the Uniform Probate Code, the Uniform Partnership Act, the Uniform Limited Partnership Act, the Uniform Anatomical Gift Act, the Uniform Interstate Family Support Act, the Uniform Child Custody Jurisdiction and Enforcement Act, and the Uniform Prudent Management of Institutional Funds Act.

Most significant was the 1940 ULC decision to attack major commercial problems with comprehensive legal solutions – a decision that set in motion the project to produce the Uniform Commercial Code (UCC). Working with the American Law Institute, the UCC took ten years to draft and another 14 years before it was enacted across the country. It remains the signature product of the ULC.

Today the ULC is recognized primarily for its work in commercial law, family law, the law of probate and estates, the law of business organizations, health law, and conflicts of law.

The Uniform Law Commission arose out of the concerns of state government for the improvement of the law and for better interstate relationships. Its sole purpose has been, and remains, service to state government and improvement of state law.

IV. DIVERSITY STATEMENT

Each member jurisdiction determines the number of uniform law commissioners it appoints to the Uniform Law Commission, the terms of uniform law commissioners and the individuals who are appointed from the legal profession of that jurisdiction. The Uniform Law Commission encourages the appointing authorities to consider, among other factors, diversity of membership in their uniform law commissions, including race, ethnicity and gender in making appointments. The Uniform Law Commission does its best work when the uniform law commissioners are drawn from diverse backgrounds and experiences.

V. PROCEDURES

The ULC is convened as a body once a year. It meets for a period of six or seven days, usually in July or August. In the interim period between these annual meetings, drafting committees composed of Commissioners meet to supply the working drafts that are considered at the annual meeting.

At each annual meeting, the work of the drafting committees is read and debated. Each Act must be considered over a substantial period of years. No Act becomes officially recognized as a Uniform Act until the Uniform Law Commission is satisfied that it is ready for consideration in the state legislatures. It is then put to a vote of the states, during which each state caucuses and votes as a unit.

The governing body is the ULC Executive Committee, and is composed of the officers, certain ex-officio members, and members appointed by the ULC President. Certain activities are conducted by the standing committees. For example, the Committee on Scope and Program considers all new subject areas for possible Uniform Acts. The Legislative Committee superintends the relationships of the ULC to the state legislatures.

A small staff located in Chicago operates the national office of the ULC. The national office handles meeting arrangements, publications, legislative liaison, and general administration for the ULC.

The ULC maintains relations with several sister organizations. Official liaison is maintained with the American Bar Association, which provides advisors to all ULC drafting committees and many ULC study committees. Liaison is also maintained with the American Law Institute, the Council of State Governments, the National Conference of State Legislatures, the National Association of Secretaries of State, the Conference of Chief Justices, and the National Center for

State Courts on an on-going and as-needed basis. Liaison and activities are conducted with other organizations as interests and activities necessitate.

VI. ACTIVITIES OF THE CONNECTICUT COMMISSIONERS

A. The Connecticut Commissioners are:

David D. Biklen, Chair	John H. Langbein
Mary M. Ackerly	Louise M. Nadeau
William R. Breetz, Jr.	Francis J. Pavetti
Abbe R. Gluck	Deborah J. Tedford
Barry C. Hawkins	Suzanne Brown Walsh

B. The ULC committee assignments and other positions for Commissioners from Connecticut are:

Mary (Molly) M. Ackerly

- Member, Study Committee on Deed Fraud
- Member, Study Committee on Earned Wage Advances
- Member, Study Committee on Updates to Model Marketable Title Act
- Member, Study Committee on Post-Mortem Retrieval of Gametes, Safeguards for the Acquisition and Use of Anatomical Material by Non-Transplant Anatomical Organizations, and Protections for Unrepresented Donors
- Member, Drafting Committee on Updates to Uniform Transfers to Minors Act
- Member, Standby Committee on Unlawful Restrictions in Land Records Act
- Member, Standby Committee on Community Property Disposition at Death Act
- Member, Standby Committee on Uniform Electronic Estate Planning Documents Act
- Member, Standby Committee on Uniform Fiduciary Income and Principal Act
- Member, Standby Committee on Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act
- Member, Standby Committee on Uniform Parentage Act

David D. Biklen

- Member, Study Committee on Post-Mortem Retrieval of Gametes, Safeguards for the Acquisition and Use of Anatomical Material by Non-Transplant Anatomical Organizations, and Protections for Unrepresented Donors
- Member, Drafting Committee on Indian Child Welfare Act Issues
- Member, Standby Committee on Unlawful Restrictions in Land Records Act
- Member, Standby Committee on Uniform Nonparent Custody and Visitation Act
- Member, Standby Committee on Uniform Unclaimed Property Act
- Chair, Standby Committee on Unregulated Transfers of Adopted Children
- Chair, Enactment Committee on Uniform Real Property Electronic Recording Act

William R. Breetz

- Emeritus Member, Joint Editorial Board for Uniform Real Property Acts
- Chair, Standby Committee to Revise Uniform Common Interest Ownership Act and Uniform Condominium Act

- Member, Enactment Committee on Uniform Partition of Heirs Property Act

Abbe R. Gluck

- Chair, Joint Editorial Board on Health Law
- Member, Study Committee on Post-Mortem Retrieval of Gametes, Safeguards for the Acquisition and Use of Anatomical Material by Non-Transplant Anatomical Organizations, and Protections for Unrepresented Donors
- Member, Scope and Program Committee
- Member, Study Committee on Mental Privacy, Cognitive Biometrics, and Neural Data
- Member, Standby Committee on Model Public Health Emergency Authorities
- Member, Standby Committee on Uniform Telehealth Act

Barry C. Hawkins

- Co-Chair, Joint Editorial Board for Uniform Real Property Acts
- Member, Drafting Committee on Redaction of Judicial Officer Personal Information (on hiatus)
- Co-Chair, Standby Committee on Unlawful Restrictions in Land Records Act
- Member, Committee on Liaison with American Bar Association
- Member, ULC Legislative Committee
- Member, Standby Committee on Uniform Fiduciary Income and Principal Act
- Member, Enactment Committee on Model Veterans Treatment Court Act

John H. Langbein

- Member, Drafting Committee on Updates to Uniform Transfers to Minors Act
- Member, Study Committee on Probate and Non-Probate Transfer Integration
- Member, Drafting Committee on Conflict of Laws in Trusts and Estates Acts
- Emeritus Member, Joint Editorial Board for Uniform Trusts and Estates Acts
- Member, Standby Committee on Cohabitants' Economic Remedies Act
- Member, Standby Committee on Uniform Directed Trust Act
- Member, Standby Committee on Uniform Electronic Wills Act
- Member, Standby Committee on Uniform Fiduciary Income and Principal Act
- Member, Standby Committee on Amendments to Uniform Probate Code (2019)

Louise M. Nadeau

- Vice Chair, Criminal Justice Reform Committee
- Member, Committee on Legislative Attorneys
- Member, Style Committee
- Member, Enactment Committee for Uniform Civil Remedies for Unauthorized Disclosure of Intimate Images Act
- Member, Standby Committee on Uniform Criminal Records Accuracy Act

Francis J. Pavetti

Deborah J. Tedford

- Member, Joint Editorial Board for Uniform Trust and Estate Acts (representing the American College of Trust & Estate Counsel)

Suzanne B. Walsh

- Member, Executive Committee
- Chair, Drafting Committee on Nonconsensual Pornographic Deepfakes
- Member, Drafting Committee on Conflict of Laws in Trusts and Estates Acts
- Member, Drafting Committee on Updates to Uniform Transfers to Minors Act
- Member, Study Committee on Probate and Non-Probate Transfer Integration
- Member, Joint Editorial Board for Uniform Trusts and Estates Acts
- Member, Standby Committee to Revise Uniform Healthcare Decisions Act
- Member, Standby Committee on Uniform Adult Guardianship and Protective Proceedings Act
- Member, Standby Committee on Uniform Cohabitants' Economic Remedies Act
- Member, Standby Committee on Uniform Directed Trust Act
- Chair, Standby Committee on Uniform Electronic Wills Act
- Member, Standby Committee on Uniform Premarital and Marital Agreements Act
- Member, Standby Committee on Uniform Regulation of Virtual Currency Businesses Act

C. Meetings

Meetings of the Connecticut Commissioners and the ULC Annual Meeting were conducted as follows:

1. The Connecticut Delegation held a legislative planning meeting via Zoom on July 15, 2024. The meeting was facilitated by ULC Legislative Counsel Haley Tanzman.
2. The Uniform Law Commission held several informal virtual sessions in June to review and consider acts that were scheduled for final consideration at the annual meeting in July 2024.
3. The Uniform Law Commission held its 133rd Annual Meeting from July 19-24, 2024.

D. Connecticut Commissioners attending the ULC Annual Meeting were:

Mary M. Ackerly
David D. Biklen
William R. Breetz, Jr.
Abbe R. Gluck

Barry C. Hawkins
Louise M. Nadeau
Suzanne Brown Walsh

E. Legislative appearances by Connecticut Commissioners in 2024

There were no legislative appearances by Connecticut Commissioners in 2024.

VII. SUMMARY OF NEW ACTS ADOPTED BY THE UNIFORM LAW COMMISSION IN 2024

1. Uniform Antitrust Pre-Merger Notification Act

Companies proposing to engage in most significant mergers or acquisitions must comply with the federal Hart-Scott-Rodino Act (“HSR”). This federal law requires filing a notice of the proposed transaction with the Federal Trade Commission and Department of Justice at least 30 days prior to closing. The HSR filing includes both a basic form detailing information, such as the corporate structure of the parties, and additional documentary material, such as presentations about the merger to the company’s board of directors. The HSR filing allows the federal antitrust agencies to scrutinize mergers before they are completed. State Attorneys General (AGs) also have a legal right to challenge anticompetitive mergers, but AGs do not have access to HSR filings. This lack of access puts the AGs at a significant disadvantage in the process of merger review. It also creates additional costs and uncertainties for the merging parties.

The Uniform Antitrust Pre-Merger Notification Act is intended to address the concerns of both the AGs and business communities by creating a simple, non-burdensome mechanism for AGs to receive access to HSR filings at the same time as the federal agencies, and subject to the same confidentiality obligations. Under the Act, a covered entity must provide its HSR filing to the AG contemporaneously with its federal filing. The material filed with the AG is subject to essentially the same confidentiality protections as applicable to the federal agencies, except that an AG that receives HSR materials may share them with any other AG whose state has also adopted this Act. The anticipated effect is to facilitate early information sharing and coordination among state AGs and the federal agencies. The Act will balance the needs of state enforcers for information with the burdens and risks to filers.

2. Uniform Mortgage Modification Act

The parties to a mortgage often agree to modify the terms of the mortgage loan or other obligation secured by the mortgage after the initial transaction is completed. However, the common law is not clear on the issue of whether the modification of a mortgage loan or other obligation secured by a mortgage affects the priority of the mortgage against junior interest holders. This lack of clarity in the law causes delay and unnecessary expense for borrowers and in some cases may mean that a loan is foreclosed rather than modified.

The Uniform Mortgage Modification Act is meant to resolve problems and reduce uncertainty by establishing several categories of safe harbor modifications that can be made to recorded mortgages and secured obligations, and outlines the implications of each type of modification. Permissible modifications under the Act include changes

to maturity dates, interest rates, capitalization or payment schedules, escrow or reserve requirements, and other changes that do not affect the priority of junior interest holders or are not materially prejudicial. This Act aims to reduce costs and create straightforward alternatives to foreclosure when possible.

3. Updates to Unincorporated Organization Acts

The 2024 updates to the Uniform Unincorporated Organization Acts make comprehensive amendments to nine existing Unincorporated Organization Acts. These modifications address issues raised by the Joint Editorial Board for Uniform Unincorporated Organization Acts, as well as similar issues arising from the consideration of evolving case law, disparate judicial interpretations, and other concerns raised in connection with the various states' consideration of the Unincorporated Organization Acts.

Some of the updates include:

- (1) Resolving issues surrounding the definition of “partnership” and the definition and use of the terminology relating to “jurisdiction of formation”;
- (2) Distinguishing between domestic and foreign entities in various contexts in the Uniform Partnership Act, Uniform Limited Partnership Act and Uniform Limited Liability Company Act;
- (3) Synthesizing differing terms in the fundamental change articles of the various entity acts;
- (4) Clarifying when a partner or LLC member is required to refrain from competition;
- (5) Settling matters surrounding “series entities”;
- (6) Addressing issues arising from the enactment of the federal Corporate Transparency Act; and
- (7) Resolving various issues brought to the Drafting Committee’s attention by the American Bar Association’s Corporate Laws Committee.

VIII. UNIFORM LAW COMMISSION ACTS INTRODUCED AS LEGISLATION IN CONNECTICUT IN 2024

The following legislation relating to uniform acts was introduced in the 2024 regular session:

1. An Act Concerning Adoption of the Connecticut Uniform Trust Decanting Act was raised by the Judiciary Committee on February 13, 2024. The bill was filed as Senate Bill 272 (2024), and was enacted and signed by the Governor as Public Act 24-104.
2. An Act Concerning a Study of the Interstate Compact on the Placement of Children and the Uniform Child Custody Jurisdiction and Enforcement Act was raised by the Committee on Children as HB 5263 and reported favorably to the floor, but no further action was taken.

IX. UNIFORM ACTS RECOMMENDED FOR INTRODUCTION IN 2025

The Connecticut Commissioners support introduction and passage of the following acts in the 2025 regular session of the General Assembly:

1. The Uniform Mediation Act. The act standardizes the mediation process and establishes a privilege of confidentiality for mediators and mediation participants. Versions of the act, tailored to Connecticut, have been considered by the General Assembly in prior years. The bill was raised as HB 6971, An Act Adopting the Connecticut Uniform Mediation Act, and favorably reported to the House by the Judiciary Committee.
2. Uniform Commercial Code, 2022 Amendments. These amendments to the Uniform Commercial Code have already been adopted in 25 states. The Judiciary Committee raised HB 6970, An Act Concerning Adoption of Amendments to the Uniform Commercial Code, to enact these amendments which modernize provisions of the Uniform Commercial Code. The Judiciary Committee favorably reported the bill to the House.
3. The Uniform Real Property Transfer on Death Act. The Insurance and Real Estate Committee raised HB 6896, An Act Concerning Adoption of the Uniform Real Property Transfer on Death Act, and held a public hearing on February 11, 2025. However, no further action was taken on the bill.
4. The Uniform Collaborative Law Act. The Judiciary Committee raised SB 1283, An Act Concerning the Adoption of the Connecticut Uniform Collaborative Law Act. The act regulates collaborative law by which attorneys and clients agree to attorney representation solely for the purpose of alternative dispute resolution, agreeing to have other representation if the case does not settle and proceedings continue. The Judiciary Committee favorably reported the bill to the Senate.