



SOUTH DAKOTA



DELAWARE

STATE INCOME AND CAPITAL GAINS RATES

0%

0%
(except residents)

DAPT LOOKBACK PROTECTIONS

2-year lookback for both future and preexisting creditor. Preexisting creditor can be shortened to 6 months

4-year lookback for both future and preexisting creditor. Preexisting creditor can be shortened to 1 year

RULE AGAINST PERPETUITIES

No rule against perpetuities

Personal property can go on in perpetuity. Real estate can only be held for 110 years

COMMUNITY PROPERTY SPECIAL SPOUSAL TRUST STATUTE

State statute that helps married couples in non-community property states avoid federal capital gains taxation

No Community Property Special Spousal Trust Statute

PRIVACY

Attorneys filing any court proceedings can seal all trust documents from the public record. The permanent seal of trust proceedings automatically attaches.

The records often become unsealed after 3 years unless there is an additional judge's order.

PRIVATE PLACEMENT INSURANCE PREMIUM TAX

8 bps

200 bps
(Up to \$100k)

SPECIAL PURPOSE ENTITIES

Yes

Yes

STRENGTH OF STATE

Pension liability 103% funded
Unemployment rate 3.1%
Credit rating AAA

Pension liability 82.8% funded
Unemployment rate 3.8%
Credit rating AAA

NUMBER OF STATE-CHARTERED TRUST COMPANIES

62

45

DATE STATE BECAME TRUST FRIENDLY

1983

Early 20th century

LEGISLATIVE SUPPORT

Governor trust task force and state legislators work together in order to proactively monitor and adjust state laws to be attractive to trusts.

Chancery Court has extensive experience and precedent for trusts to rely upon