

HOUSE BILL No. 2126

By Committee on Judiciary

1-23

1 AN ACT concerning trust instruments; relating to mediation or arbitration
2 of disputes.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) (1) Except as provided in subsection (a)(2), a provision
6 in a trust instrument requiring the mediation or arbitration of disputes
7 between or among beneficiaries, a fiduciary, a person granted nonfiduciary
8 powers under the trust instrument, or any combination thereof, is
9 enforceable.

10 (2) A provision in a trust instrument requiring the mediation or
11 arbitration of a dispute relating to the validity of a trust is not enforceable,
12 unless all interested persons to the dispute consent to mediation or
13 arbitration of such dispute.

14 (b) This section shall be part of and supplemental to the Kansas
15 uniform trust code.

16 Sec. 2. This act shall take effect and be in force from and after its
17 publication in the statute book.