

2023 Kansas Statutes

58-5104. Fiduciary duties. (a) In exercising the decanting power, an authorized fiduciary shall act in accordance with its fiduciary duties, including the duty to act in accordance with the purposes of the first trust.

(b) The uniform trust decanting act does not create or imply a duty to exercise the decanting power or to inform beneficiaries about the applicability of the act.

(c) Except as otherwise provided in a first-trust instrument, for purposes of the uniform trust decanting act and K.S.A. 58a-801 and 58a-802(a), and amendments thereto, the terms of the first trust are deemed to include the decanting power.

History: L. 2023, ch. 48, § 4; July 1.