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

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

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

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

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

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