



**KANSAS BAR
ASSOCIATION**

TO: **The Honorable Jeff Longbine, Chair**
and Members of the Senate Committee on Financial Institutions &
Insurance

FROM: **Joseph N. Molina, On Behalf of the Kansas Bar Association**

RE: **SB 400 - Updating certain requirements and conditions relating to the
creation, modification, and termination of trusts in the Kansas
uniform trust code and updating the definition of resident trust for tax
purposes.**

DATE: **February 2, 2022**

Chairman and members of the Senate Committee on Financial Institutions & Insurance, my name is Joseph Molina and I provide this neutral testimony on behalf of the Kansas Bar Association as it relates to SB 400 - Updating certain requirements and conditions relating to the creation, modification, and termination of trusts in the Kansas uniform trust code and updating the definition of resident trust for tax purposes.

The Kansas Bar Association has been in close contact with the sponsors of this bill and the Kansas Judicial Council. We appreciate the openness and willingness of the Kansas Bankers and Midwest Trust to discuss SB 400 with us. We are extremely sensitive to the work and effort put forth by the sponsors and recognize the importance SB 400 is to their legislative agenda.

With that being said, the Kansas Bar Association would request additional time to study SB 400. By allowing this additional time, a full vetting of the provisions within SB 400 and the Uniform Decanting Act currently being studied by the Kansas Judicial Council could take place.

In addition, the Kansas Bar Association Real Property, Trust and Probate Section could review SB 400 to determine if any of its provisions conflicted with the Uniform Trust Code enacted in 2002. SB 400 would be the most significant amendment to the Uniform Trust Code in nearly two decades.

It is for these reasons the KBA would request additional time to study SB 400.

Thank you for your time and attention. I am happy to stand for questions when appropriate.

About the Kansas Bar Association:

The Kansas Bar Association (KBA) was founded in 1882 as a voluntary association for dedicated legal professionals. Its more than 7,200 members include lawyers, judges, law students, and paralegals. www.ksbar.org

