As Amended by Senate Committee

Session of 2026

HOUSE BILL No. 2590

By Committee on Financial Institutions and Pensions

Requested by Kelly VanZwoll on behalf of the Kansas Bankers Association

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AN ACT concerning trusts; enacting the Kansas community property trust act; authorizing the use of community property trusts during the marriage of settlor spouses; relating to the Kansas uniform trust code; allowing trustees to reimburse settlors of grantor trusts; authorizing the use of designated representatives for trusts; permitting the terms of a governing instrument to expand, restrict or eliminate certain general rules applicable to fiduciaries, trusts and trust administration; amending K.S.A. 58a-505, 58a-813 and 58a-816 and repealing the existing sections.

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

New Section 1. (a) Sections 1 through 9, and amendments thereto, shall be known and may be cited as the Kansas community property trust act.

(b) As used in this act:

(1) "Community property" means property owned by a community property trust during the marriage of the settlor spouses;

(2) "community property trust" means an express trust that complies with section 2, and amendments thereto;

(3) "decree" means a judgment or other order of a court;

(4) "dissolution" means:

(A) Termination of a marriage by a decree of dissolution, divorce, annulment or declaration of invalidity; or

(B) entry of a decree of legal separation maintenance;

(5) "during marriage" means a period that begins at marriage and ends at dissolution or the death of a spouse;

(6) "qualified trustee" means:

(A) A natural person who is a resident of this state; or

(B) a company authorized to act as a fiduciary in this state; and

(7) "settlor spouses" means a married couple that establishes a community property trust.

New Sec. 2. An arrangement is a community property trust if one or both spouses transfer property to a trust that:

(a) Expressly declares that the trust is a Kansas community property trust;

(b) has at least one trustee who is a qualified trustee whose powers include, or are limited to, maintaining records for the trust on an exclusive or a nonexclusive basis and preparing or arranging for the preparation of, on an exclusive or a nonexclusive basis, any income tax returns that must be filed by the trust. Both spouses or either spouse may be a trustee;

(c) is signed by both spouses; and

(d) contains the following language in the trust:

"THE CONSEQUENCES OF THIS TRUST MAY BE VERY EXTENSIVE, INCLUDING, BUT NOT LIMITED TO, YOUR RIGHTS WITH YOUR SPOUSE BOTH DURING THE COURSE OF YOUR MARRIAGE AND AT THE TIME OF A DIVORCE. ACCORDINGLY, THIS AGREEMENT SHOULD ONLY BE SIGNED AFTER CAREFUL CONSIDERATION. IF YOU HAVE ANY QUESTIONS ABOUT THIS AGREEMENT, YOU SHOULD SEEK INDEPENDENT LEGAL ADVICE."

New Sec. 3. (a) In the agreement establishing a community property trust, spouses may agree on:

(1) The rights and obligations in the property transferred to the trust, notwithstanding when and where the property is acquired or located;

(2) the management and control of the property transferred to the trust;

(3) the disposition of the property transferred to the trust on dissolution, death or the occurrence or nonoccurrence of another event;

(4) the choice of law governing the interpretation of the trust; and

(5) any other matter that affects the property transferred to the trust and does not violate public policy or a statute imposing a criminal penalty.

(b) (1) Either spouse may amend a community property trust regarding the disposition of such spouse's $^1/_2$ share of the community property in the occurrence of such spouse's death.

(2) Except as provided in paragraph (1), a community property trust may not be amended or revoked unless the agreement itself provides for amendment or revocation.

(c) Notwithstanding the provisions of this section, a community property trust may not adversely affect the right of a child to support.

New Sec. 4. (a) Whether or not both spouses, one spouse or neither spouse is domiciled in this state, spouses may transmute any or all of their property to community property by transferring such property to a community property trust.

(b) A community property trust is enforceable without consideration.

(c) All property owned by a community property trust will be community property during marriage.

(d) The right to manage and control property that is transferred to a community property trust is determined by the terms of the trust.

(e) When property is distributed from a community property trust, such property shall no longer constitute community property.

New Sec. 5. (a) An obligation incurred by only one spouse before or during marriage may be satisfied from such spouse's $^1/_2$ share of a community property trust.

(b) An obligation incurred by both spouses during marriage may be satisfied from a community property trust of the spouses.

New Sec. 6. For purposes of the application of § 1014(b)(6) of the internal revenue code of 1986, 26 U.S.C. § 1014(b)(6), a community property trust is considered a trust established under the community property laws of Kansas. Community property as classified by a jurisdiction other than Kansas transferred to a Kansas community property trust retains its character as community property while in the trust. If the trust is revoked and property is transferred on revocation of the trust, the community property as classified by a jurisdiction other than Kansas retains its character as community property to the extent otherwise provided by Kansas law.

New Sec. 7. Upon the death of a spouse, $^1/_2$ of the aggregate value of the property held in a community property trust established by the settlor spouses reflects the share of the surviving spouse and is not subject to testamentary disposition by the decedent spouse or distribution under the laws of succession of the state. The other $^1/_2$ of the value of such property reflects the share of the decedent spouse and is subject to testamentary disposition or distribution under the laws of succession of the state. Unless otherwise provided in the community property trust agreement, the trustee has the power to distribute assets of the trust in divided or undivided interests and to adjust resulting differences in valuation. A distribution in kind may be made on the basis of a non-pro rata division of the aggregate value of the trust assets or on the basis of a pro rata division of each individual asset, or by using both distribution bases. The decedent's spouse's $^1/_2$ share shall not be included in the elective estate.

New Sec. 8. (a) Upon the dissolution of the marriage of the settlor spouses, the community property trust shall terminate and the trustee shall distribute $^1/_2$ of the trust assets to each spouse in accordance with subsection (c).

(b) The initiation of an action to dissolve the marriage of the settlor spouses does not automatically terminate the community property trust unless otherwise agreed to by the settlor spouses in writing or otherwise ordered by the court having jurisdiction over the dissolution proceedings between the settlor spouses. However, if an action to dissolve the marriage of the settlor spouses remains pending for 180 days, the trust automatically terminates and the trustee shall distribute $^1/_2$ of the trust assets to each spouse in accordance with subsection (c), unless any of the following

apply:

(1) A settlor spouse objects to the termination within 180 days following the filing of the dissolution action, at which time either party may request that the court having jurisdiction over the dissolution proceedings between the settlor spouses determine if good cause exists to terminate the community property trust during the pendency of the dissolution of marriage action;

(2) the court having jurisdiction over the dissolution proceedings between the settlor spouses enters an order directing otherwise;

(3) the settlor spouses otherwise agree, in writing, while the dissolution of marriage action is pending; or

(4) the community property trust agreement provides otherwise.

(c) Unless provided otherwise in the community property trust agreement, the trustee has the power to distribute assets of the trust in divided or undivided interests and adjust resulting differences in valuation. A distribution in kind may be made on the basis of a non-pro rata division of the aggregate value of the trust assets or on the basis of a pro rata division of each individual asset, or by using both distribution bases. A trustee may not distribute real property or business interests in a manner that would leave the settlor spouses as co-owners of such assets post dissolution of the marriage of the settlor spouses or termination of the community property trust, unless otherwise agreed to by the settlor spouses in a separate written agreement executed during the dissolution of marriage action. Notwithstanding any other provision of this section, the community property trust agreement cannot be terminated and the assets cannot be distributed in a manner that could cause the trust assets to not be treated as community property.

(d) The court having jurisdiction over the dissolution proceedings between the settlor spouses has personal and subject matter jurisdiction over the settlor spouses and the trustee of the community property trust for the purpose of effectuating the distribution of the community property trust assets consistent with the terms of the community property trust agreement in a manner ensuring that the trust assets retain their community property character.

New Sec. 9. (a) A community property trust executed during marriage is not enforceable if the spouse against whom enforcement is sought proves that:

(1) The trust was unconscionable when made;

(2) the spouse against whom enforcement is sought did not execute the community property trust agreement voluntarily;

(3) the community property trust agreement was the product of fraud, duress, coercion or overreaching; or

(4) before execution of the community property trust agreement, the

spouse against whom enforcement is sought:

(A) Was not given a fair and reasonable disclosure of the property and financial obligations of the other spouse;

(B) did not voluntarily sign a written waiver expressly waiving right to disclosure of the property and financial obligations of the other spouse beyond the disclosure provided; or

(C) did not have notice of the property or financial obligations of the other spouse.

(b) Whether a community property trust is unconscionable shall be determined by a court as a matter of law.

(c) A community property trust may not be deemed unenforceable solely on the fact that the settlor spouses did not have separate legal representation when executing the community property trust agreement.

New Sec. 10. (a) As used in this section, "designated representative" means a person who has delivered to the trustee such person's written acceptance of the office of designated representative or who has otherwise agreed, through service or similar action, to serve as designated representative following such person's appointment to act as a designated representative in at least one of the following manners:

(1) Express appointment under the terms of a governing instrument as a designated representative or by reference to this section;

(2) authorization, appointment or direction under the terms of a governing instrument to represent or bind one or more beneficiaries in connection with a judicial proceeding or nonjudicial matter as defined in section 11, and amendments thereto;

(3) appointment by one or more persons who are expressly authorized under a governing instrument to appoint a person who is described in paragraph (1) or (2);

(4) to the extent that a designated representative is not appointed and serving in accordance with paragraphs (1) through (3), appointment by the settlor to act as designated representative for one or more beneficiaries, except that when a settlor is appointing a designated representative for purposes of paragraph (2):

(A) The appointed designated representative shall serve in a fiduciary capacity, notwithstanding any provision to the contrary in the governing instrument;

(B) the appointed designated representative shall not be the settlor or related or subordinate to the settlor within the meaning of § 672(c) of the internal revenue code of 1986, 26 U.S.C. § 672(c); and

(C) the settlor, within 30 days of appointment of the designated representative under this paragraph, shall provide written notice to the surviving and competent parent or parents, custodial parent in cases where one parent has sole custody of the beneficiary or guardian of the property

of the beneficiary who will be represented by the appointed designated representative; or

(5) to the extent that a designated representative is not appointed and serving in accordance with paragraphs (1) through (4), appointment by a beneficiary to act as a designated representative of such beneficiary.

(b) A designated representative may be appointed under subsection (a):

(1) For purposes of representing a beneficiary in accordance with section 11(d), and amendments thereto;

(2) for purposes of representing a minor beneficiary, a beneficiary who is incapacitated, an unborn beneficiary or a beneficiary whose identity or location is unknown and not reasonably ascertainable in any nonjudicial matter as defined in section 11, and amendments thereto; and

(3) with respect to appointment under subsection (a)(5), for purposes of representing the appointing beneficiary, in any nonjudicial matter as defined in section 11, and amendments thereto.

(c) For purposes of subsections (b)(2) and (b)(3), any designated representative acting in the capacity of a designated representative may represent and bind the applicable beneficiary for purposes of any nonjudicial matter as defined in section 11, and amendments thereto, notwithstanding that the governing instrument does not restrict or eliminate the right of such beneficiary to be informed of the beneficiary's interest in the trust.

(d) A designated representative shall be presumed to be a fiduciary. A person who accepts an appointment as a designated representative of a trust or acts as a designated representative of a trust under this section submits to personal jurisdiction of this state regarding any matter related to the trust. This provision does not preclude other methods of obtaining jurisdiction over such designated representative of a trust.

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

New Sec. 11. (a) (1) Notwithstanding any other provision of law, the terms of a governing instrument may expand, restrict, eliminate or otherwise vary any laws of general application to fiduciaries, trusts and trust administration, including, but not limited to, any such laws pertaining to:

(A) The rights and interests of beneficiaries, including, but not limited to, the right to be informed of the beneficiary's interest for a period of time, as set forth in subsection (c);

(B) the grounds for removal of a fiduciary;

(C) the circumstances, if any, in which the fiduciary shall diversify investments;

(D) the manner in which a fiduciary should invest assets, in addition

to, or in place of, other investment strategies, with or without regard to investment performance;

(E) a fiduciary's powers, duties, standard of care, rights of indemnification and liability to persons whose interests arise from that instrument; and

(F) the terms of a power of appointment over trust property.

(2) Nothing in this section shall be construed to permit the exculpation or indemnification of a fiduciary for the fiduciary's own willful misconduct or preclude a court of competent jurisdiction from removing a fiduciary on account of the fiduciary's willful misconduct. The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this section. It is the policy of this section to give maximum effect to the principle of freedom of disposition and to the enforceability of governing instruments.

(b) In furtherance of and not in limitation of the provisions of subsection (a), the terms of a governing instrument of a trust established and existing for religious, charitable, scientific, literary or educational purposes or for noncharitable purposes shall not be modified by the court to change the trust's purposes unless the purposes of the trust have become unlawful under the constitution of the state of Kansas or the United States or the trust would otherwise no longer serve any religious, charitable, scientific, literary, educational or noncharitable purpose, in which case the court shall proceed in the manner directed by K.S.A. 58a-413, and amendments thereto. A settlor may maintain an action to enforce a charitable or noncharitable trust under this section and designate a person or persons, whether or not born at the time of such designation, to enforce a charitable or noncharitable trust under this section.

(c) The terms of a governing instrument may expand, restrict, eliminate or otherwise vary the right of a beneficiary to be informed of the beneficiary's interest in a trust for a period of time, including, but not limited to, a period of time related to:

(1) The age of a beneficiary;

(2) the lifetime of each settlor or spouse of a settlor;

(3) a term of years or specific date; and

(4) a specific event that is certain to occur.

(d) During any period of time that a governing instrument restricts or eliminates the right of a beneficiary to be informed of the beneficiary's interest in a trust, unless otherwise provided in the governing instrument, any designated representative as defined in section 10, and amendments thereto, acting in the capacity of a designated representative shall represent and bind such beneficiary for purposes of any judicial proceeding and for purposes of any nonjudicial matter and shall have the authority to, and is a proper party to, initiate a proceeding relating to the trust before a court or

administrative tribunal on behalf of any such beneficiary.

(e) If a corporate trustee is serving for any governing instruments described in subsection (c), such corporate trustee shall maintain a physical presence in this state.

(f) For purposes of this section:

(1) "Judicial proceeding" means any proceeding before a court or administrative tribunal, including, but not limited to, a proceeding that involves a trust whether or not the administration of the trust is governed by the laws of Kansas; and

(2) "nonjudicial matter" includes, but is not limited to, the grant of consents, releases or ratifications pursuant to K.S.A. 58a-1009, and amendments thereto, and the receipt of a report for purposes of measuring the limitation period described in K.S.A. 58a-1005, and amendments thereto.

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

Sec. 12. K.S.A. 58a-505 is hereby amended to read as follows: 58a-505. (a) Except as provided by K.S.A. 33-101 et seq. and 33-201 et seq., and amendments thereto, whether or not the terms of a trust contain a spendthrift provision, the following rules apply:

(1) During the lifetime of the settlor, the property of a revocable trust is subject to claims of the settlor's creditors.

(2) With respect to an irrevocable trust, a creditor or assignee of the settlor may reach the maximum amount that can be distributed to or for the settlor's benefit*, except that a trustee's discretionary authority to pay directly or reimburse the settlor for any tax on trust income or principal that is payable by the settlor shall not be considered to be an amount that can be distributed to or for the settlor's benefit, and a creditor or assignee of the settlor shall not be entitled to reach any amount solely by reason of this discretionary authority.* If a trust has more than one settlor, the amount the creditor or assignee of a particular settlor may reach may not exceed the settlor's interest in the portion of the trust attributable to that settlor's contribution.

(3) After the death of a settlor, and subject to the settlor's right to direct the source from which liabilities will be paid, the property of a trust that was revocable at the settlor's death is subject to claims of the settlor's creditors, costs of administration of the settlor's estate, the expenses of the settlor's funeral and disposal of remains, the homestead, homestead allowance, the elective share rights of the surviving spouse pursuant to K.S.A. 59-6a209, and amendments thereto, and statutory allowance to a surviving spouse and children to the extent the settlor's probate estate is inadequate to satisfy those claims, costs, expenses, and allowances.

(b) For purposes of this section:

(1) During the period the power may be exercised, the holder of a power of withdrawal is treated in the same manner as the settlor of a revocable trust to the extent of the property subject to the power;

(2) upon the lapse, release, or waiver of the power, the holder is treated as the settlor of the trust only to the extent the value of the property affected by the lapse, release, or waiver exceeds the greater of the amount specified in section 2041(b)(2) or 2514(e) of the federal internal revenue code of 1986, as in effect on December 31, 2002; or section 2503(b) of the federal internal revenue code of 1986, as in effect on December 31, 2002; and

(3) this subsection shall not apply to the lapse of powers held by the spouse of a person occurring upon the death of such person.

Sec. 13. K.S.A. 58a-813 is hereby amended to read as follows: 58a-813. (a) As provided in this section, a trustee shall keep the qualified beneficiaries reasonably informed about the administration of the trust and of the material facts necessary for them to protect their interests*, unless the governing instrument instructs otherwise as allowed under section 11, and amendments thereto*. Unless unreasonable under the circumstances, a trustee shall promptly respond to a qualified beneficiary's request for information related to the administration of the trust.

(b) Except as otherwise provided under the terms of the trust, a trustee shall:

(1) Upon request of a qualified beneficiary, promptly furnish to the qualified beneficiary a copy of the portions of the trust instrument relating to the interest of the qualified beneficiary, or a copy of the trust instrument if specifically so requested by the qualified beneficiary;

(2) within 60 days after accepting a trusteeship, notify the qualified beneficiaries of the acceptance and of the trustee's name, address, and telephone number;

(3) within 60 days after the date the trustee acquires knowledge of the creation of an irrevocable trust, or the date the trustee acquires knowledge that a formerly revocable trust has become irrevocable, whether by the death of the settlor or otherwise, notify the qualified beneficiaries of the trust's existence, of the identity of the settlor or settlors, of the right to request a copy of relevant portions of the trust instrument and of the right to a trustee's report as provided in subsection (c);

(4) notify the qualified beneficiaries in advance of any change in the method or rate of the trustee's compensation; and

(5) At least annually, send a trust report for the trust's most recent fiscal year to each qualified beneficiary who actually received a distribution during such fiscal year, except a beneficiary who received a specific bequest. The trustee shall also send a trust report to any additional qualified beneficiary who would have been eligible to receive a

distribution during the fiscal year and who requests a copy of the trust report. The trust report shall include a list of the trust assets, and, if feasible, their market values; liabilities, receipts and disbursements; the source and amount of the trustee's compensation; and if requested, the trust's investment rate of return and whether the method for calculating the rate complies with standards established by the association of investment management and research (AIMR). Upon a vacancy in a trusteeship, unless a cotrustee remains in office, a trust report ~~must~~ *shall* be sent to the qualified beneficiaries by the former trustee. A personal representative, conservator, or guardian may send the qualified beneficiaries a trust report on behalf of a deceased or incapacitated trustee.

(c) A qualified beneficiary may waive the right to a trustee's report or other information otherwise required to be furnished under this section. A qualified beneficiary, with respect to future reports and other information, may withdraw a waiver previously given.

(d) The provisions of this section are inapplicable to qualified beneficiaries other than a surviving spouse so long as the surviving spouse is a qualified beneficiary of the trust, or holds any power of appointment over the entire trust estate, and where all other qualified beneficiaries are the issue of the surviving spouse.

(e) At the termination of a trust, the trustee shall send a trust report to each qualified beneficiary who is entitled to receive a distribution from the trust, except a beneficiary who received a specific bequest. Such trust report shall include the information required by subsection (b)(5), except information relating to receipts and disbursements need only be prepared for the period from the date of the event that caused the termination of the trust.

Sec. 14. K.S.A. 58a-816 is hereby amended to read as follows: 58a-816. Without limiting the authority conferred by K.S.A. 58a-815, and amendments thereto, a trustee may:

(1) Collect trust property and accept or reject additions to the trust property from a settlor or any other person;

(2) acquire or sell property, for cash or on credit, at public or private sale;

(3) exchange, partition, or otherwise change the character of trust property;

(4) deposit trust money in an account in a regulated financial-service institution;

(5) borrow money, with or without security, and mortgage or pledge trust property for a period within or extending beyond the duration of the trust;

(6) with respect to an interest in a proprietorship, partnership, limited liability company, business trust, corporation, or other form of business or

enterprise, continue the business or other enterprise and take any action that may be taken by shareholders, members, or property owners, including merging, dissolving, or otherwise changing the form of business organization or contributing additional capital;

(7) with respect to stocks or other securities, exercise the rights of an absolute owner, including the right to:

(A) Vote, or give proxies to vote, with or without power of substitution, or enter into or continue a voting trust agreement;

(B) hold a security in the name of a nominee or in other form without disclosure of the trust so that title may pass by delivery;

(C) pay calls, assessments, and other sums chargeable or accruing against the securities, and sell or exercise stock subscription or conversion rights; and

(D) deposit the securities with a depositary or other regulated financial-service institution;

(8) with respect to an interest in real property, construct, or make ordinary or extraordinary repairs to, alterations to, or improvements in, buildings or other structures, demolish improvements, raze existing or erect new party walls or buildings, subdivide or develop land, dedicate land to public use or grant public or private easements and make or vacate plats and adjust boundaries;

(9) enter into a lease for any purpose as lessor or lessee, including a lease or other arrangement for exploration and removal of natural resources, with or without the option to purchase or renew, for a period within or extending beyond the duration of the trust;

(10) grant an option involving a sale, lease, or other disposition of trust property or acquire an option for the acquisition of property, including an option exercisable beyond the duration of the trust and exercise an option so acquired;

(11) insure the property of the trust against damage or loss and insure the trustee, the trustee's agents, and beneficiaries against liability arising from the administration of the trust;

(12) abandon or decline to administer property of no value or of insufficient value to justify its collection or continued administration;

(13) with respect to possible liability for violation of environmental law:

(A) Inspect or investigate property the trustee holds or has been asked to hold, or property owned or operated by an organization in which the trustee holds or has been asked to hold an interest, for the purpose of determining the application of environmental law with respect to the property;

(B) take action to prevent, abate, or otherwise remedy any actual or potential violation of any environmental law affecting property held

directly or indirectly by the trustee, whether taken before or after the assertion of a claim or the initiation of governmental enforcement;

(C) decline to accept property into trust or disclaim any power with respect to property that is or may be burdened with liability for violation of environmental law;

(D) compromise claims against the trust which may be asserted for an alleged violation of environmental law; and

(E) pay the expense of any inspection, review, abatement, or remedial action to comply with environmental law;

(14) pay or contest any claim, settle a claim by or against the trust, and release, in whole or in part, a claim belonging to the trust;

(15) pay taxes, assessments, compensation of the trustee and of employees and agents of the trust and other expenses incurred in the administration of the trust;

(16) exercise elections with respect to federal, state, and local taxes;

(17) select a mode of payment under any employee benefit or retirement plan, annuity, or life insurance payable to the trustee, exercise rights thereunder, including exercise of the right to indemnification for expenses and against liabilities, and take appropriate action to collect the proceeds;

(18) make loans out of trust property, including loans to a beneficiary on terms and conditions the trustee considers to be fair and reasonable under the circumstances, and the trustee has a lien on future distributions for repayment of those loans;

(19) pledge trust property to guarantee loans made by others to the beneficiary;

(20) appoint a trustee to act in another jurisdiction with respect to trust property located in the other jurisdiction, confer upon the appointed trustee all of the powers and duties of the appointing trustee, require that the appointed trustee furnish security, and remove any trustee so appointed;

(21) pay an amount distributable to a beneficiary who is under a legal disability or who the trustee reasonably believes is incapacitated, by paying ~~it~~ *such amount* directly to the beneficiary or applying it for the beneficiary's benefit, or by:

(A) Paying ~~it~~ *such amount* to the beneficiary's conservator or, if the beneficiary does not have a conservator, the beneficiary's guardian;

(B) paying ~~it~~ *such amount* to the beneficiary's custodian, attorney-in-fact, custodial trustee or other person with legal authority to receive such funds for the benefit of the beneficiary;

(C) if the trustee does not know of a conservator, guardian, custodian, or custodial trustee, paying it to an adult relative or other person having legal or physical care or custody of the beneficiary, to be expended on the

beneficiary's behalf; or

(D) managing it as a separate fund on the beneficiary's behalf, subject to the beneficiary's continuing right to withdraw the distribution;

(22) on distribution of trust property or the division or termination of a trust, make distributions in divided or undivided interests, allocate particular assets in proportionate or disproportionate shares, value the trust property for those purposes, and adjust for resulting differences in valuation;

(23) resolve a dispute concerning the interpretation of the trust or its administration by mediation, arbitration, or other procedure for alternative dispute resolution;

(24) prosecute or defend an action, claim or judicial proceeding in any jurisdiction to protect trust property and the trustee in the performance of the trustee's duties;

(25) sign and deliver contracts and other instruments that are useful to achieve or facilitate the exercise of the trustee's powers;

(26) access digital assets held in trust pursuant to K.S.A. 58-4811, 58-4812 and 58-4813, and amendments thereto; ~~and~~

(27) on termination of the trust, exercise the powers appropriate to wind up the administration of the trust and distribute the trust property to the persons entitled to ~~it~~ *such property; and*

(28) except as otherwise provided under the terms of the trust, exercise the discretionary power to reimburse the settlor for the portion of the settlor's income tax liability attributable to the trust under 26 U.S.C. § 671 or federal tax law.

Sec. 15. K.S.A. 58a-505, 58a-813 and 58a-816 are hereby repealed.

Sec. 16. This act shall take effect and be in force from and after its publication in the ~~statute book~~ ***Kansas register***.