

SENATE BILL No. 438

AN ACT concerning business trusts; relating to required filings with the office of the secretary of state; amending K.S.A. 17-2030 and repealing the existing section.

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

Section 1. K.S.A. 17-2030 is hereby amended to read as follows: 17-2030. Any business trust, whether domestic or foreign, desiring to transact business in this state shall file in the office of the secretary of state, on such forms, if any, as the secretary of the state may prescribe:

(a) An executed copy of the trust instrument by which the trust was created and of all amendments thereto or a true and correct copy thereof certified to be such by a trustee thereof under penalty of perjury or by a public official of another state, territory, or country in whose office an executed copy thereof is on file;

(b) a verified list of the names and addresses of its trustees; ~~and~~

~~—(c) a balance sheet, certified by the trustee as of a date no earlier than 60 days prior to such date of filing, fairly and truly reflecting its assets and liabilities and specifically setting out its corpus, except that in the case of a foreign business trust such balance sheet shall fairly and truly reflect an allocation of its money and other assets as between those located, used, or to be used in this state and those located, used, or to be used elsewhere;~~

~~—(d) (c) the location of its registered office in this state and the name of its resident agent in charge of such registered office; and~~

(e) (d) a foreign business trust shall file its irrevocable consent to service of process, accompanied by a duly certified copy of an order or resolution of the trustees of any foreign business trust authorizing the execution and filing of such irrevocable consent, conforming in substance to the consent required of foreign corporations in K.S.A. 17-7301 and amendments thereto.

Sec. 2. K.S.A. 17-2030 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the SENATE, and passed that body

President of the Senate.

Secretary of the Senate.

Passed the HOUSE _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.