

2023 Kansas Statutes

58-5118. Removal or replacement of authorized fiduciary; restrictions. An authorized fiduciary shall not exercise the decanting power to modify a provision in a first-trust instrument granting another person power to remove or replace the fiduciary unless the:

- (a) Person holding the power consents to the modification in a signed record and the modification applies only to the person;
- (b) person holding the power and the qualified beneficiaries of the second trust consent to the modification in a signed record and the modification grants a substantially similar power to another person; or
- (c) court approves the modification and the modification grants a substantially similar power to another person.

History: L. 2023, ch. 48, § 18; July 1.