

SESSION OF 2012

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2655**

As Agreed to March 29, 2012

Brief*

HB 2655 would make amendments concerning the Kansas Uniform Trust Code. Specifically, it would amend the spendthrift provision subsection in the statute governing modification or termination of a noncharitable irrevocable trust to state that such a provision is not presumed to constitute a material purpose of the trust. Further, it would remove a trust's taxpayer identification number from the list of information required in an acknowledged certification of trust.

Conference Committee Action

The Conference Committee added the contents of HB 2655, as amended, to HB 2464 and, subsequently, agreed to strike the contents of HB 2655 and add selected sections of SB 291 concerning spendthrift provisions and the removal of a trust's taxpayer identification number from the list of information required in an acknowledged certification of trust.

Background

HB 2655, as introduced, would have amended the crime of interference with the judicial process.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

SB 291 was introduced by the Senate Judiciary Committee at the request of the Kansas Judicial Council. The bill is one of three that resulted from a study of two 2011 bills, SB 47 and SB 48, which were requested by the Kansas Bar Association. These 2011 bills were referred to the Kansas Judicial Council for the study.

In the Senate Judiciary Committee, a representative of the Kansas Judicial Council spoke in support of the bill. The Kansas Bar Association submitted written testimony supporting the bill. The Committee amended the bill by modifying the proposed change to the spendthrift provision from "may" to "is not presumed to." The Committee recommended the bill be passed as amended.

The fiscal note on the bill states the Division of the Budget is currently awaiting a response from agencies or organizations affected by the bill. The fiscal note will be completed and submitted once the Division receives the necessary information.

Uniform Trust Code—spendthrift provisions, taxpayer identification number

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