

2023 Kansas Statutes

9-2318. Indemnification of trust advisor; exceptions. An instrument may relieve and indemnify a trust advisor and a fiduciary financial institution that serves as trustee of a fidfin trust or alternative asset custody account from liability for a breach of fiduciary duty. Any such provision is unenforceable to the extent that it relieves the trust advisor or fiduciary financial institution from liability for a breach of fiduciary duty committed:

- (a) In bad faith;
- (b) intentionally; or
- (c) with reckless indifference to the interest of a beneficiary.

History: L. 2021, ch. 80, § 18; L. 2022, ch. 55, § 11; July 1.