

SESSION OF 2017

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2126**

As Recommended by House Committee on  
Judiciary

**Brief\***

HB 2126 would enact law relating to arbitration or mediation of trust instruments in the Uniform Trust Code. The bill would provide a trust instrument requiring the mediation or arbitration of disputes involving beneficiaries, fiduciaries, or persons granted non-fiduciary powers under the trust be enforceable. An exception to this enforceability would apply when the dispute is related to the validity of the trust, unless all interested persons consent to arbitration or mediation of the dispute.

**Background**

The bill was introduced in the House Committee on Judiciary at the request of the Kansas Bar Association (KBA). At the hearing before the House Committee, a representative of KBA testified in support of the bill. No neutral or opponent testimony was provided.

The House Committee recommended the bill be placed on the Consent Calendar.

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of Judicial Administration indicates enactment of the bill would have no fiscal effect on revenues or expenditures of the Judicial Branch.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>