

59-18-106 Trustee's notice to attorney general of inconsistent provisions in trust.

If the trustee determines that the governing instrument contains provisions, in the case of a power to make distributions, which is more restrictive than Subsection 59-18-105(2), or if the trust contains other powers which specifically direct acts by the trustee that are inconsistent with the provisions of Subsection 59-18-105(3), the trustee shall notify the attorney general within six months following the effective date of this chapter, or when the trust becomes subject to this chapter, whichever last occurs. Section 59-18-105 does not apply to any trust with respect to which notice has been given unless the trust is amended to comply with the terms of this chapter.

Renumbered and Amended by Chapter 2, 1987 General Session