



# Outline of SB 100, Estate Planning Recodification

Detailed Outline | 2025 General Session

The table below outlines, [Title 75B, Trusts](#), which is a new title organized by [SB 100, Estate Planning Recodification](#), in the 2025 General Session. For more detailed information regarding the recodification, please contact the Office of Legislative Research and General Counsel.

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## Title 75B, Trusts

New Code Sections	Title	Existing Code Sections
<b>Chapter 2</b>	<b>Uniform Trust Code</b>	
<b>Part 1, General Provisions</b>		
75B-2-101	Reserved.	New
75B-2-102	Scope.	75-7-102
75B-2-103	Definitions for chapter.	75-7-103
75B-2-104	Knowledge.	75-7-104
75B-2-105	Default and mandatory rules.	75-7-105
75B-2-106	Common law of trusts -- Principles of equity.	75-7-106
75B-2-107	Governing law.	75-7-107
75B-2-108	Principal place of administration.	75-7-108
75B-2-109	Methods and waiver of notice.	75-7-109
75B-2-110	Nonjudicial settlement agreements.	75-7-110
75B-2-111	Rules of construction.	75-7-111
75B-2-112	Penalty provisions.	75-7-112
75B-2-113	Foreign trustees.	75-7-1201
<b>Part 2, Jurisdiction and Venue for Trusts</b>		
75B-2-201	Court -- Exclusive jurisdiction of trusts.	75-7-201
75B-2-202	Effect of administration in this state -- Consent to jurisdiction.	75-7-202
75B-2-203	Jurisdiction over an action involving a trust.	75-7-203
75B-2-204	Trust proceedings -- Dismissal of matters relating to foreign trusts.	75-7-204
75B-2-205	Venue for an action involving a trust.	75-7-205
<b>Part 3, Representation</b>		
75B-2-301	Basic effect.	75-7-301
75B-2-302	Representation by holder of general testamentary power of appointment.	75-7-302
75B-2-303	Representation by fiduciaries and parents.	75-7-303
75B-2-304	Representation by person having substantially identical interest.	75-7-304
75B-2-305	Appointment of guardian ad litem or other representative.	75-7-305
<b>Part 4, Creation, Validity, Modification and Termination of a Trust</b>		
75B-2-401	Methods of creating trust.	75-7-401
75B-2-402	Requirements for creation.	75-7-402



<b>New Code Sections</b>	<b>Title</b>	<b>Existing Code Sections</b>
75B-2-403	Trusts created in other jurisdictions.	75-7-403
75B-2-404	Trust purposes.	75-7-404
75B-2-405	Charitable purposes -- Enforcement.	75-7-405
75B-2-406	Creation of trust induced by fraud, duress, or undue influence.	75-7-406
75B-2-407	Evidence of oral trust.	75-7-407
75B-2-408	Trust for care of animal.	75-7-408
75B-2-409	Noncharitable trust without ascertainable beneficiary.	75-7-409
75B-2-410	Modification or termination of trust -- Proceedings for approval or disapproval.	75-7-410
75B-2-411	Modification or termination of noncharitable irrevocable trust by consent.	75-7-411
75B-2-412	Modification or termination because of unanticipated circumstances or inability to administer trust effectively.	75-7-412
75B-2-413	Cy pres.	75-7-413
75B-2-414	Modification or termination of uneconomic trust.	75-7-414
75B-2-415	Reformation to correct mistakes.	75-7-415
75B-2-416	Modification to achieve settlor's tax objectives.	75-7-416
75B-2-417	Combination and division of trusts.	75-7-417
<b>Part 5, Spendthrift and Discretionary Trusts</b>		
75B-2-501	Rights of beneficiary's creditor or assignee.	75-7-501
75B-2-502	Spendthrift provisions for beneficiaries other than the settlor.	75-7-502
75B-2-503	Exceptions to spendthrift provision.	75-7-503
75B-2-504	Discretionary trusts -- Effect of standard.	75-7-504
75B-2-505	Creditor's claim against settlor.	75-7-505
75B-2-506	Overdue distribution.	75-7-506
75B-2-507	Personal obligations of trustee.	75-7-507
75B-2-508	Notice to creditors.	75-7-508
75B-2-509	Limitations on presentation of claims.	75-7-509
75B-2-510	Manner of presentation of claims.	75-7-510
75B-2-511	Classification of claims.	75-7-511
75B-2-512	Allowance of claims.	75-7-512
75B-2-513	Payment of claims.	75-7-513
75B-2-514	Secured claims.	75-7-514
75B-2-515	Claims not due and contingent or unliquidated claims.	75-7-515
75B-2-516	Counterclaims.	75-7-516
75B-2-517	Execution and levies prohibited.	75-7-517
75B-2-518	Compromise of claims.	75-7-518
75B-2-519	Encumbered assets.	75-7-519
<b>Part 6, Revocable Trusts</b>		
75B-2-601	Capacity of settlor of revocable trust.	75-7-604
75B-2-602	Revocation or amendment of revocable trust.	75-7-605
75B-2-603	Settlor's powers -- Powers of withdrawal.	75-7-606
75B-2-604	Limitation on action contesting validity of revocable trust -- Distribution of trust property.	75-7-607
<b>Part 7, Office of Trustee</b>		
75B-2-701	Accepting or declining trusteeship.	75-7-701
75B-2-702	Trustee's bond.	75-7-702
75B-2-703	Cotrustees.	75-7-703



New Code Sections	Title	Existing Code Sections
75B-2-704	Vacancy in trusteeship -- Appointment of successor.	75-7-704
75B-2-705	Resignation of trustee.	75-7-705
75B-2-706	Removal of trustee.	75-7-706
75B-2-707	Delivery of property by former trustee.	75-7-707
75B-2-708	Compensation of trustee.	75-7-708
75B-2-709	Reimbursement of expenses.	75-7-709
<b>Part 8, Duties and Powers of Trustee</b>		
75B-2-801	Duty to administer trust.	75-7-801
75B-2-802	Duty of loyalty.	75-7-802
75B-2-803	Impartiality.	75-7-803
75B-2-804	Prudent administration.	75-7-804
75B-2-805	Costs of administration.	75-7-805
75B-2-806	Trustee's skills.	75-7-806
75B-2-807	Control and protection of trust property.	75-7-807
75B-2-808	Recordkeeping and identification of trust property.	75-7-808
75B-2-809	Enforcement and defense of claims.	75-7-809
75B-2-810	Collecting trust property.	75-7-810
75B-2-811	Duty to inform and report.	75-7-811
75B-2-812	Discretionary powers -- Tax savings.	75-7-812
75B-2-812.5	Discretionary power -- Decanting a trust.	New
75B-2-813	General powers of trustee.	75-7-813
75B-2-814	Specific powers of trustee.	75-7-814
75B-2-815	Distribution upon termination.	75-7-815
75B-2-816	Recitals when title to real property is in trust -- Failure.	75-7-816
75B-2-817	Marital deduction formulas -- Trusts.	75-7-817
<b>Part 9, Uniform Prudent Investor Act</b>		
75B-2-901	Prudent investor rule.	75-7-901
75B-2-902	Standard of care -- Portfolio strategy -- Risk and return objectives.	75-7-902
75B-2-903	Diversification.	75-7-903
75B-2-904	Duties at inception of trusteeship.	75-7-904
75B-2-905	Reviewing compliance.	75-7-905
75B-2-906	Investment direction.	75-7-906
75B-2-907	Language invoking standard of chapter.	75-7-907
<b>Part 10, Liability of Trustees and Rights of Persons Dealing With Trustee</b>		
75B-2-1001	Remedies for breach of trust.	75-7-1001
75B-2-1002	Damages for breach of trust.	75-7-1002
75B-2-1003	Damages in absence of breach.	75-7-1003
75B-2-1004	Attorney's fees and costs.	75-7-1004
75B-2-1005	Limitation of action against trustee.	75-7-1005
75B-2-1006	Reliance on trust instrument.	75-7-1006
75B-2-1007	Event affecting administration or distribution.	75-7-1007
75B-2-1008	Exculpation of trustee.	75-7-1008
75B-2-1009	Beneficiary's consent, release, or ratification.	75-7-1009
75B-2-1010	Limitation on personal liability of trustee.	75-7-1010
75B-2-1011	Interest as general partner.	75-7-1011
75B-2-1012	Protection of person dealing with trustee.	75-7-1012
75B-2-1013	Certification of trust.	75-7-1013
<b>Part 11, Applicability Provisions</b>		



New Code Sections	Title	Existing Code Sections
75B-2-1101	Uniformity of application and construction.	75-7-1101
75B-2-1102	Electronic records and signatures.	75-7-1102
75B-2-1103	Application to existing relationships.	75-7-1103
<b>Chapter 3</b>	<b>Uniform Directed Trust Act</b>	
75B-3-101	Reserved.	New
75B-3-102	Definitions for chapter.	75-12-102
75B-3-103	Application -- Principal place of administration.	75-12-103
75B-3-104	Common law and principles of equity.	75-12-104
75B-3-105	Exclusions.	75-12-105
75B-3-106	Powers of trust director.	75-12-106
75B-3-107	Limitations on trust director.	75-12-107
75B-3-108	Duty and liability of trust director.	75-12-108
75B-3-109	Duty and liability of directed trustee.	75-12-109
75B-3-110	Duty to provide information to trust director or trustee.	75-12-110
75B-3-111	No duty to monitor, inform, or advise.	75-12-111
75B-3-112	Application to cotrustee.	75-12-112
75B-3-113	Limitation of action against trust director.	75-12-113
75B-3-114	Defenses in action against trust director.	75-12-114
75B-3-115	Jurisdiction over trust director.	75-12-115
75B-3-116	Office of trust director.	75-12-116
75B-3-117	Uniformity of application and construction.	75-12-117
75B-3-118	Electronic records and signatures.	75-12-118