

121 the date the property was originally transferred in trust.

122 (7) The courts of this state shall have exclusive jurisdiction over any action brought
123 under this section.

124 (8) If a trust or a property transfer to a trust is voided or set aside under Subsection
125 (2)(c), the trust or property transfer shall be voided or set aside only to the extent necessary to
126 satisfy:

127 (a) the settlor's debt to the creditor or other person at whose instance the trust or
128 property transfer is voided or set aside; and

129 (b) the costs and attorney fees allowed by the court.

130 (9) If a trust or a property transfer to a trust is voided or set aside under Subsection
131 (2)(c) and the court is satisfied that the trustee did not act in bad faith in accepting or
132 administering the property that is the subject of the trust:

133 (a) the trustee has a first and paramount lien against the property that is the subject of
134 the trust in an amount equal to the entire cost properly incurred by the trustee in a defense of
135 the action or proceedings to void or set aside the trust or the property transfer, including
136 attorney fees;

137 (b) the trust or property transfer that is voided or set aside is subject to the proper fees,
138 costs, preexisting rights, claims, and interest of the trustee and any predecessor trustee if the
139 trustee and predecessor trustee did not act in bad faith; and

140 (c) any beneficiary, including the settlor, may retain a distribution made by exercising a
141 trust power or discretion vested in the trustee of the trust, if the power or discretion was
142 properly exercised before the commencement of the action or proceeding to void or set aside
143 the trust or property transfer.

144 ~~Ĥ→ [(10) If at least one trustee is a trust company as defined in Subsection 7-5-1(1)(d), then~~
145 ~~individuals may also serve as cotrustees.] ←Ĥ~~

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