

121 support obligation.

122 (i) A transfer of assets to the trust may not render the settlor insolvent.

123 (j) At the time the settlor transfers any assets to the trust, the settlor may not intend to
124 hinder, delay, or defraud a known creditor by transferring the assets to the trust. A settlor's
125 expressed intention to protect trust assets from the settlor's potential future creditors is not
126 evidence of an intent to hinder, delay, or defraud a known creditor.

127 ~~[(k) At the time that the settlor transfers any assets to the trust, the settlor may not be~~
128 ~~contemplating filing for relief under the provisions of the Bankruptcy Code.]~~

129 ~~[(+)]~~ (k) Assets transferred to the trust may not be derived from ~~§→ [f] ←§~~ unlawful
129a activities ~~§→ [f] ←§~~

130 criminal activity ~~←§~~ .

131 ~~[(m) At the time the settlor transfers any assets]~~

132 (l) With respect to each transfer of assets to the trust, the settlor shall sign a sworn
133 affidavit stating that at the time of the transfer of the assets to the trust:

134 (i) the settlor has full right, title, and authority to transfer the assets to the trust;

135 (ii) the transfer of the assets to the trust will not render the settlor insolvent;

136 (iii) the settlor does not intend to hinder, delay, or defraud a known creditor by
137 transferring the assets to the trust;

138 (iv) there ~~[are]~~ is no pending or threatened court ~~[actions]~~ action against the settlor,
139 except for ~~[those]~~ a court ~~[actions]~~ action identified by the settlor on an attachment to the
140 affidavit;

141 (v) the settlor is not involved in ~~[any]~~ an administrative ~~[proceedings]~~ proceeding that
142 is reasonably expected to have a material adverse effect on the financial condition of the settlor,
143 except ~~[those]~~ an administrative ~~[proceedings]~~ proceeding identified on an attachment to the
144 affidavit;

145 (vi) at the time of the transfer of the assets to the trust, the settlor is not in default of a
146 ~~[child]~~ domestic support obligation;

147 (vii) the settlor does not contemplate filing for relief under the provisions of ~~[the~~
148 ~~Bankruptcy Code]~~ United States Code, Title 11, Bankruptcy; and

149 (viii) the assets being transferred to the trust were not derived from ~~§→ [f] ←§~~ unlawful
150 activities ~~§→ [f] ←§~~ criminal activity ~~←§~~ .

151 (6) Failure to satisfy the requirements of Subsection (5) shall result in the