

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIRST LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 1083

Introduced by Dierks, 40.

Read first time January 21, 2010

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to the Nebraska Uniform Trust Code; to
2 amend section 30-38,103, Reissue Revised Statutes of
3 Nebraska; to change provisions relating to contents of
4 a certification of trust; and to repeal the original
5 section.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 30-38,103, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 30-38,103 (a) A certification of trust may confirm the
4 following facts or contain the following information:

5 (1) The existence of a trust and, for an inter vivos
6 trust, the date of execution or, for a testamentary trust, the date
7 of death of the decedent;

8 (2) The identity of the grantor, settlor, or testator and
9 each currently acting trustee;

10 (3) The powers of the trustee and any restrictions
11 imposed upon the trustee in dealing with the assets of the trust;

12 (4) The name or method of choosing successor trustees;

13 (5) The revocability or irrevocability of the trust and
14 the identity of any person holding a power to revoke it;

15 (6) If there is more than one trustee, whether all of the
16 currently acting trustees must, or if less than all, may, act to
17 exercise identified powers of the trustee;

18 ~~(7) The identifying number of the trust and whether it is~~
19 ~~a social security number or an employer identification number;~~

20 ~~(8)~~ (7) The name of each beneficiary and the relationship
21 to the grantor, settlor, or testator;

22 ~~(9)~~ (8) The state or other jurisdiction under which the
23 trust was established; and

24 ~~(10)~~ (9) The form in which title to the assets of the
25 trust is to be taken.

1 (b) The certification of trust shall contain a statement
2 that the trust has not been revoked or amended to make any
3 representations contained in the certification of trust incorrect
4 and that the signatures are those of all the acting trustees.

5 Sec. 2. Original section 30-38,103, Reissue Revised
6 Statutes of Nebraska, is repealed.