

SECOND REGULAR SESSION

HOUSE BILL NO. 1135

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE AUSTIN.

4560L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 456, RSMo, by adding thereto one new section relating to the mediation of trust provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 456, RSMo, is amended by adding thereto one new section, to be
2 known as section 456.2-205, to read as follows:

3 **456.2-205. 1. Subject to the exception in subsection 2 of this section, a provision in**
4 **a trust instrument requiring the mediation or arbitration of disputes between or among the**
5 **beneficiaries, a fiduciary, a person granted nonfiduciary powers under the trust**
6 **instrument, or any combination of such persons is enforceable.**

7 **2. A provision in a trust instrument requiring the mediation or arbitration of**
8 **disputes relating to the validity of a trust is not enforceable unless all interested persons**
9 **with regard to the dispute consent to the mediation or arbitration of the dispute.**

✓

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.