

SECOND REGULAR SESSION

HOUSE BILL NO. 1391

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GREGORY.

4140H.021

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 456.4-406, RSMo, and to enact in lieu thereof one new section relating to a jury trial to contest the creation of a trust.

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

Section A. Section 456.4-406, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 456.4-406, to read as follows:

456.4-406. A trust is void to the extent its creation was induced by fraud, duress, or undue influence **or if the settlor lacked capacity at the time the settlor executed the trust.**
In determining whether a trust is void under this section, any party may demand a jury trial.

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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.