

**Fifty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2005**

SENATE CONCURRENT RESOLUTION NO. 4031
(Senators Traynor, Hacker, Nelson, Syverson, Trenbeath, Triplett)
(Judiciary Committee)

A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting the Uniform Trust Code.

WHEREAS, the Uniform Trust Code provides a comprehensive model for codifying the law on trusts; and

WHEREAS, the Uniform Trust Code was completed by the Uniform Law Commissioners in 2001, with amendments in 2003; and

WHEREAS, the American Bar Association and AARP have approved the Uniform Trust Code; and

WHEREAS, at least 10 states have enacted the Uniform Trust Code and a majority of the states in the nation have created study groups to review the Uniform Trust Code before enactment; and

WHEREAS, the Uniform Trust Code was introduced in North Dakota as Senate Bill No. 2122 (2005); and

WHEREAS, the North Dakota Bankers Association, North Dakota Credit Union League, and State Bar Association of North Dakota opposed revising the law on trusts as proposed by Senate Bill No. 2122; and

WHEREAS, an interim study of the Uniform Trust Code would provide opponents of a comprehensive law on trusts as provided by the Uniform Trust Code the opportunity to identify the specific provisions that would be detrimental to settlors, beneficiaries, and trustees and those provisions that should be modified to make North Dakota unique in the area of laws governing trusts;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Council study the feasibility and desirability of adopting the Uniform Trust Code; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Sixtieth Legislative Assembly.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

Filed in this office this _____ day of _____, 2005,
at _____ o'clock _____ M.

Secretary of State