

BILL SUMMARY
2nd Session of the 59th Legislature

Bill No.:	HB 2978
Version:	Introduced
Request Number:	9365
Author:	Rep. Kane
Date:	2/20/2024
Impact:	\$0

Research Analysis

HB3962 creates the Oklahoma Uniform Directed Trust Act of 2024, establishing a framework to govern directed trusts as recommended by the Uniform Law Commission. The measure validates the terms of a trust that provide for a trust director and establishes guidelines for the allocation of fiduciary powers and duties among trustees, co-trustees and the trust director. If a directed trustee reasonably acts at the direction of a trust director, they are not liable for the action unless they are engaging in willful misconduct. The measure also outlines guidelines for sharing of information among a trustee and trust director and the compensation, succession and appointment of a trust director.

Prepared By: Quyen Do

Fiscal Analysis

HB 2978 defines the duties and powers of a trust director and a directed trustee as established under the Oklahoma Uniform Directed Trust Act. A trust director must exercise power over the investment in accordance to the terms of the trust and act with the same fiduciary duty as a trustee in a like position under similar circumstances. A directed trustee must comply with a trust director's exercise or nonexercise of a power of direction unless engaging in willful misconduct.

This measure is not anticipated to have a direct fiscal impact on the state budget or appropriation.

Prepared By: Alexandra Ladner, House Fiscal Staff

Other Considerations

None.