

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1300

Introduced by

Representative Keiser

- 1 A BILL for an Act to amend and reenact subsection 1 of section 59-12-11 of the North Dakota
2 Century Code, relating to modification of irrevocable trusts.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 59-12-11 of the North Dakota
5 Century Code is amended and reenacted as follows:

- 6 1. A noncharitable irrevocable trust may be terminated upon consent of all of the
7 beneficiaries if the court concludes that continuance of the trust is not necessary to
8 achieve any material purpose of the trust. A noncharitable irrevocable trust may be
9 modified upon consent of all of the beneficiaries if the court concludes that
10 modification is not inconsistent with a material purpose of the trust. An irrevocable
11 trust that is modified under this subsection continues to be irrevocable.