



Sen. Kirk W. Dillard

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09700SB1294sam002

LRB097 00144 AJO 52830 a

1 AMENDMENT TO SENATE BILL 1294

2 AMENDMENT NO. _____. Amend Senate Bill 1294, on page 1, by
3 replacing line 5 with "Sections 16.3 and 16.7 as follows:" and
4 by replacing page 10, lines 12 through 25, and pages 11 through
5 40 with the following:

6 "(760 ILCS 5/16.7 new)

7 Sec. 16.7. Application. Section 16.3 applies to all trusts
8 in existence on the effective date of this amendatory Act of
9 the 97th General Assembly or created after that date. Section
10 16.3 shall be construed as pertaining to the administration of
11 a trust and shall be available to any trust that is
12 administered in Illinois under Illinois law or that is governed
13 by Illinois law with respect to the meaning and effect of its
14 terms, except to the extent the governing instrument expressly
15 prohibits that Section by specific reference to that Section. A
16 provision in the governing instrument in the form: "The

1 provisions of Section 16.3 of the Trusts and Trustees Act and
2 any corresponding provision of future law may not be used in
3 the administration of this trust." or a similar provision
4 demonstrating that intent is sufficient to preclude the use of
5 Section 16.3.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law."