

**286.3-140 Amendment of articles and reorganization to engage in a trust business -  
- Consolidation -- Transfer of fiduciary account to affiliate.**

- (1) A bank may, with the consent of a majority in number and interest of its stockholders, amend its articles of incorporation or reorganize to permit it to engage in a trust business. The stock of the old corporation, if unimpaired, may be converted into stock in the new corporation.
- (2) Any bank or trust company may consolidate and the consolidated corporation shall issue stock for an equivalent amount in value of the stock of the constituent corporations.
- (3) Upon written approval of the commissioner, a bank or trust company may transfer one (1) or more fiduciary accounts under its administration to an affiliate of the trust company or bank, as defined in KRS 286.3-230(6), located in the Commonwealth, if the transferring bank or trust company shall also:
  - (a) Not later than thirty (30) days prior to the date of the transfer of the fiduciary accounts, send written notice to the person or entity that was the recipient of the last report of the status of the account. The notice shall include notification of the recipient's rights to object to the transfer in the probate division of District Court and shall be deemed effective when mailed by the bank or trust company; and
  - (b) Within ten (10) days after the date of a transfer of the fiduciary accounts, file an affidavit recording the transfer in the District Court, probate division, of the county in which its main office is located.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 626, effective July 15, 2010. -- Amended 1996 Ky. Acts ch. 338, sec. 13, effective July 15, 1996. -- Amended 1984 Ky. Acts ch. 324, sec. 16, effective July 13, 1984. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 612a, 883c-2.

**Formerly codified as** KRS 287.140.

**Legislative Research Commission Note (7/12/2006).** In accordance with 2006 Ky. Acts ch. 247, secs. 38 and 39, this statute has been renumbered as a section of the Kentucky Financial Services Code, KRS Chapter 286, and KRS references within this statute have been adjusted to conform with the 2006 renumbering of that code.