

386A.2-020 Amendment or restatement of certificate of trust.

- (1) A statutory trust shall amend its certificate of trust to add or change a provision that is required by this chapter to be included in the certificate of trust. A statutory trust may amend its certificate of trust to add, change, or delete a provision that is permitted to be or that is not required to be in the certificate of trust. The certificate of trust shall be amended if there is a change in any matter required to be set forth in the certificate of trust under KRS 386A.2-010(2) or (3).
- (2) To amend its certificate of trust, a statutory trust must deliver to the Secretary of State for filing an amendment, articles of conversion, or articles of merger stating:
 - (a) The name of the trust;
 - (b) The date of filing of its initial certificate; and
 - (c) The changes to the certificate.
- (3) A trustee that knows that any information in a filed certificate of trust was incorrect when the certificate was filed shall promptly:
 - (a) Cause the certificate to be amended; or
 - (b) Deliver to the Secretary of State for filing a statement of correction as provided for in KRS 14A.2-090.
- (4) A statutory trust shall promptly deliver to the Secretary of State for filing an amendment to the certificate of trust to reflect any admission, appointment, resignation, or other change in the trustees thereof.
- (5) A statutory trust, to change its principal office, shall comply with KRS 14A.5-010, thereby amending the certificate of trust.
- (6) A statutory trust, to change its registered agent, its registered office, or both, shall comply with KRS 14A.4-020, thereby amending the certificate of trust.
- (7) A statutory trust may restate its certificate of trust by delivering to the Secretary of State for filing a restated certificate of trust setting forth the name of statutory trust and the text of the restated certificate. A restated certificate of trust shall supersede the preceding certificate of trust and all amendments thereto. The Secretary of State may certify a restated certificate of trust, with any amendments thereto, as the certificate of trust currently in effect.

Effective: July 12, 2012

History: Created 2012 Ky. Acts ch. 81, sec. 8, effective July 12, 2012.