

**SUBSTITUTE FOR  
HOUSE BILL NO. 6129**

A bill to amend 1998 PA 386, entitled  
"Estates and protected individuals code,"  
by amending section 7704 (MCL 700.7704), as added by 2009 PA 46,  
and by adding section 7703b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       **SEC. 7703B. (1) A TRUST INSTRUMENT MAY INCLUDE A SEPARATE**  
2       **TRUSTEES PROVISION.**

3       **(2) WHILE A SEPARATE TRUSTEES PROVISION APPLIES, THE WHOLE**  
4       **TRUSTEESHIP OF THE AGGREGATE TRUST IS DIVIDED, UNDER THE TERMS OF**  
5       **THE SEPARATE TRUSTEES PROVISION, INTO DISCRETE SETS OF SEPARATELY**  
6       **ACCEPTED FIDUCIARY RESPONSIBILITIES, WITH EACH DISCRETE SET**  
7       **SEPARATELY ALLOCATED TO 1 OR ANOTHER OF THE AGGREGATE TRUST'S**  
8       **SEPARATE TRUSTEES. ALL OF THE FOLLOWING APPLY WHILE A SEPARATE**  
9       **TRUSTEES PROVISION APPLIES:**

1 (A) EXCEPT AS PROVIDED IN SUBDIVISION (C) , THE AGGREGATE  
2 TRUST'S SEPARATE TRUSTEES ARE NOT TREATED AS COTRUSTEES IN THEIR  
3 RELATIONS TO ONE ANOTHER. WITH REGARD TO THE COMMON TITLE TO THE  
4 TRUST PROPERTY DESCRIBED IN SUBDIVISION (C) (i) , ALL OF THE  
5 FOLLOWING APPLY:

6 (i) A SEPARATE INVESTMENT TRUSTEE ACCEPTS THE COMMON TITLE  
7 ONLY FOR PURPOSES OF PERFORMING THE TRUSTEE INVESTMENT FUNCTION  
8 DESCRIBED BY THE GOVERNING SEPARATE TRUSTEES PROVISION FOR THE  
9 BENEFIT OF THE TRUST BENEFICIARIES.

10 (ii) A SEPARATE DISTRIBUTIONS TRUSTEE ACCEPTS THE COMMON TITLE  
11 ONLY FOR PURPOSES OF ADMINISTERING A DISCRETIONARY TRUST PROVISION  
12 SPECIFIED IN THE GOVERNING SEPARATE TRUSTEES PROVISION FOR THE  
13 BENEFIT OF THE TRUST BENEFICIARIES AFFECTED BY THE SPECIFIED  
14 DISCRETIONARY TRUST PROVISIONS.

15 (iii) A SEPARATE RESULTANT TRUSTEE ACCEPTS THE COMMON TITLE  
16 ONLY FOR PURPOSES OF PERFORMING ALL TRUSTEE FUNCTIONS NOT ALLOCATED  
17 BY THE GOVERNING SEPARATE TRUSTEES PROVISION TO EITHER OF THE  
18 FOLLOWING:

19 (A) A SEPARATE INVESTMENT TRUSTEE, IF ANY.

20 (B) A SEPARATE DISTRIBUTIONS TRUSTEE.

21 (B) A SEPARATE TRUSTEE SHALL ACT ON ITS OWN AUTHORITY WITH  
22 RESPECT TO EACH OF ITS SEPARATE TRUSTEE FUNCTIONS. A SEPARATE  
23 TRUSTEE DOES NOT NEED APPROVAL FROM ANY OTHER SEPARATE TRUSTEE TO  
24 CONDUCT ITS SEPARATE TRUSTEE FUNCTIONS.

25 (C) THE AGGREGATE TRUST'S SEPARATE TRUSTEES ARE TREATED AS  
26 COTRUSTEES IN THEIR RELATIONS TO ONE ANOTHER ONLY FOR THE FOLLOWING  
27 PURPOSES:

1           (i) TAKING, HOLDING, TRANSFERRING, AND DEFENDING TITLE TO  
2 TRUST PROPERTY.

3           (ii) DETERMINING VENUE AND INTERESTED PERSONS IN PROCEEDINGS  
4 CONCERNING THE AGGREGATE TRUST.

5           (iii) LIABILITY, IF ANY, FOR INCOME, PROPERTY, OR OTHER TAXES  
6 ATTRIBUTABLE TO TRUST PROPERTY.

7           (iv) THE PRIVILEGES AND IMMUNITIES OF COTRUSTEES UNDER GENERAL  
8 PRINCIPLES OF LAW AND EQUITY TO COMMENT TO A SETTLOR OR BENEFICIARY  
9 OF A TRUST OR OTHERS ON ONE ANOTHER'S PERFORMANCE OF FIDUCIARY  
10 DUTIES.

11           (D) THE AGGREGATE TRUST'S SEPARATE TRUSTEES ARE NOT COTRUSTEES  
12 FOR EITHER OF THE FOLLOWING PURPOSES:

13           (i) JOINDER OF NECESSARY PARTIES IN A PROCEEDING FOR BREACH OF  
14 TRUST.

15           (ii) THE REQUIREMENT IN SECTION 7402 THAT THE SAME PERSON IS  
16 NOT THE SOLE TRUSTEE AND SOLE BENEFICIARY OF A TRUST. IF THE  
17 AGGREGATE TRUST HAS ONLY 1 BENEFICIARY, THE BENEFICIARY MAY NOT BE  
18 A SEPARATE TRUSTEE OF THE TRUST UNLESS BOTH OF THE FOLLOWING APPLY:

19           (A) THE SEPARATE TRUSTEE COMPRISES A COTRUSTEESHIP OF WHICH  
20 THE BENEFICIARY IS A COTRUSTEE.

21           (B) THE TRUST INSTRUMENT PROHIBITS THE BENEFICIARY FROM  
22 SERVING ALONE.

23           (E) A SEPARATE TRUSTEE SHALL NOT ACCEPT THE SEPARATE TRUST  
24 ASSOCIATED WITH, OR, EXCEPT AS OTHERWISE PROVIDED IN THIS  
25 SUBDIVISION, PARTICIPATE IN OR PROVIDE ADVICE REGARDING THE  
26 PERFORMANCE OF, A SEPARATE TRUSTEE FUNCTION OF ANY OTHER SEPARATE  
27 TRUSTEE OF THE AGGREGATE TRUST. MINISTERIAL ACTS PERFORMED BY 1

1 SEPARATE TRUSTEE IN CONNECTION WITH A SEPARATE TRUSTEE FUNCTION OF  
2 ANOTHER SEPARATE TRUSTEE OF THE AGGREGATE TRUST ARE NOT CONSIDERED  
3 AN ACCEPTANCE OF THE SEPARATE TRUST ASSOCIATED WITH THE SEPARATE  
4 TRUSTEE FUNCTION OF THE OTHER SEPARATE TRUSTEE. AS USED IN THIS  
5 SUBDIVISION, "MINISTERIAL ACTS" INCLUDES ANY OF THE FOLLOWING:

6 (i) CONFIRMING THAT AN INVESTMENT OR DISTRIBUTION DIRECTIVE OF  
7 ANOTHER SEPARATE TRUSTEE HAS BEEN CARRIED OUT.

8 (ii) RECORDING AND REPORTING THE ACTIONS OF ANOTHER SEPARATE  
9 TRUSTEE OR CONFERRING WITH ANOTHER SEPARATE TRUSTEE FOR PURPOSES OF  
10 ADMINISTRATIVE COORDINATION OR EFFICIENCY.

11 (F) A SEPARATE TRUSTEE DOES NOT HAVE A DUTY TO PETITION THE  
12 COURT OR TO TAKE OTHER AFFIRMATIVE ACTION TO ENSURE THAT ANY  
13 VACANCY IN ANY SEPARATE TRUSTEESHIP IS FILLED. IF A SEPARATE  
14 TRUSTEE PETITIONS THE COURT OR TAKES OTHER AFFIRMATIVE ACTION TO  
15 ENSURE THAT A VACANCY IN A SEPARATE TRUSTEESHIP IS FILLED, BOTH OF  
16 THE FOLLOWING APPLY:

17 (i) THE SEPARATE TRUSTEE IS NOT CONSIDERED TO HAVE ACCEPTED  
18 THE SEPARATE TRUST ASSOCIATED WITH THE VACANT SEPARATE TRUSTEESHIP.

19 (ii) THE SEPARATE TRUSTEE DOES NOT HAVE A DUTY TO PETITION THE  
20 COURT OR TAKE OTHER AFFIRMATIVE ACTION TO ENSURE THAT ANY OTHER  
21 VACANCY IN A SEPARATE TRUSTEESHIP IS FILLED.

22 (3) A SEPARATE TRUSTEES PROVISION MUST DETERMINE ALL OF THE  
23 FOLLOWING:

24 (A) IF THERE IS A SEPARATE INVESTMENT TRUSTEE, THAT THE  
25 SEPARATE INVESTMENT TRUSTEE SHALL PERFORM THE TRUSTEE INVESTMENT  
26 FUNCTION.

27 (B) THAT 1 OR MORE SEPARATE DISTRIBUTIONS TRUSTEES, IF ANY,

1 SHALL EXERCISE DISCRETION UNDER 1 OR MORE SPECIFIED DISCRETIONARY  
2 TRUST PROVISIONS.

3 (C) WHICH OF THE AGGREGATE TRUST'S SEPARATE TRUSTEES SHALL  
4 PERFORM, DURING ANY PERIOD IN WHICH THE AGGREGATE TRUST IS NOT A  
5 UNITRUST, THE FUNCTION OF ALLOCATING BETWEEN PRINCIPAL AND INCOME,  
6 FOR FIDUCIARY ACCOUNTING PURPOSES, RECEIPTS AND DISBURSEMENTS OR  
7 DISTRIBUTIONS AFFECTED BY THE SEPARATE TRUSTEES' SEPARATE TRUSTEE  
8 FUNCTIONS.

9 (D) WHICH OF THE AGGREGATE TRUST'S SEPARATE TRUSTEES IS  
10 RESPONSIBLE FOR PREPARATION AND FILING OF TAX AND INFORMATION  
11 RETURNS FOR THE AGGREGATE TRUST AND FOR RESPONDING ON BEHALF OF THE  
12 AGGREGATE TRUST TO INQUIRIES FROM GOVERNMENTAL AGENCIES.

13 (E) WHICH OF THE AGGREGATE TRUST'S SEPARATE TRUSTEES IS  
14 RESPONSIBLE FOR RESPONDING TO A PROCEEDING CHALLENGING A PURPOSE OR  
15 THE VALIDITY OF THE TRUST.

16 (F) WHICH OF THE AGGREGATE TRUST'S SEPARATE TRUSTEES IS  
17 RESPONSIBLE FOR DETERMINING WHETHER AT ANY TIME CASH OR OTHER  
18 PROPERTY WILL BE LOANED BY THE TRUST TO ANY OF THE FOLLOWING:

19 (i) ONE OR MORE TRUST BENEFICIARIES.

20 (ii) ONE OR MORE BUSINESS ENTERPRISES IN WHICH A TRUST  
21 BENEFICIARY HAS AN OWNERSHIP INTEREST.

22 (iii) ONE OR MORE BUSINESS ENTERPRISES IN WHICH THE AGGREGATE  
23 TRUST ITSELF HAS AN OWNERSHIP INTEREST.

24 (G) FOR A SEPARATE INVESTMENT TRUSTEE, WHETHER THE SEPARATE  
25 INVESTMENT TRUSTEE OR THE SEPARATE RESULTANT TRUSTEE SHALL  
26 DETERMINE THE AGGREGATE TRUST'S ASSET ALLOCATION FOR INVESTMENT  
27 PURPOSES.

1           (H) THAT THE SEPARATE RESULTANT TRUSTEE IS RESPONSIBLE FOR THE  
2 CUSTODY OF THE AGGREGATE TRUST'S PROPERTY.

3           (4) WITH REGARD TO A SEPARATE TRUSTEE FUNCTION OF A SEPARATE  
4 TRUSTEE, ALL OF THE FOLLOWING APPLY:

5           (A) THE SEPARATE TRUSTEE HAS ALL OF THE DUTIES AND POWERS OF A  
6 TRUSTEE DESCRIBED IN THIS PART AND PART 8 OF THIS ARTICLE.

7           (B) THE SEPARATE TRUSTEE IS SUBJECT TO CONTROL BY BOTH OF THE  
8 FOLLOWING IN THE SAME CIRCUMSTANCES AS WOULD BE A TRUSTEE OR  
9 COTRUSTEESHIP THAT IS NOT A SEPARATE TRUSTEE:

10           (i) EACH SETTLOR OF A REVOCABLE TRUST.

11           (ii) A HOLDER OF A POWER TO DIRECT A TRUSTEE, IF ANY.

12           (C) THE SEPARATE TRUSTEE IS REQUIRED TO SEEK OR CONSIDER THE  
13 ADVICE OF A DESIGNATED TRUST ADVISOR, IF ANY, IN THE SAME  
14 CIRCUMSTANCES AS WOULD A TRUSTEE OR COTRUSTEESHIP THAT IS NOT A  
15 SEPARATE TRUSTEE.

16           (5) IF A SEPARATE TRUSTEE COMPRISES A COTRUSTEESHIP, WITH  
17 REGARD TO A SEPARATE TRUSTEE FUNCTION OF THE SEPARATE TRUSTEE, THE  
18 COTRUSTEES HAVE ALL OF THE DUTIES AND POWERS OF COTRUSTEES  
19 DESCRIBED IN THIS PART.

20           (6) A SEPARATE TRUSTEE HAS THE DUTY TO INFORM AND REPORT ON  
21 EACH OF ITS SEPARATE TRUSTEE FUNCTIONS TO BOTH OF THE FOLLOWING:

22           (A) TRUST BENEFICIARIES AS DESCRIBED IN SECTION 7814. HOWEVER,  
23 A SEPARATE TRUSTEE IS NOT REQUIRED TO PROVIDE A BENEFICIARY A  
24 REPORT THAT THE SEPARATE TRUSTEE KNOWS WILL DUPLICATE A REPORT THAT  
25 ANOTHER SEPARATE TRUSTEE OF THE AGGREGATE TRUST PROVIDED OR WILL  
26 PROVIDE TO THE BENEFICIARY.

27           (B) EACH OTHER SEPARATE TRUSTEE OF THE AGGREGATE TRUST AS IS

1 REASONABLY NECESSARY FOR THE OTHER SEPARATE TRUSTEE TO PERFORM A  
2 SEPARATE TRUSTEE FUNCTION OF THE OTHER SEPARATE TRUSTEE.

3 (7) A SEPARATE TRUSTEE DOES NOT HAVE A DUTY TO DO ANY OF THE  
4 FOLLOWING:

5 (A) MONITOR OR REVIEW THE ACTIONS OF ANY OTHER SEPARATE  
6 TRUSTEE OF THE AGGREGATE TRUST.

7 (B) NOTIFY OR WARN A SETTLOR OR BENEFICIARY OF THE AGGREGATE  
8 TRUST OF A BREACH OF TRUST OR POSSIBLE BREACH OF TRUST ON THE PART  
9 OF ANY OTHER SEPARATE TRUSTEE.

10 (8) IF A SEPARATE TRUSTEE NOTIFIES OR WARNS A SETTLOR OR  
11 BENEFICIARY AS DESCRIBED IN SUBSECTION (7) (B), BOTH OF THE  
12 FOLLOWING APPLY:

13 (A) THE SEPARATE TRUSTEE IS NOT CONSIDERED TO HAVE ACCEPTED  
14 THE SEPARATE TRUST ASSOCIATED WITH THE SEPARATE TRUSTEE FUNCTION OF  
15 THE OTHER SEPARATE TRUSTEE.

16 (B) THE SEPARATE TRUSTEE DOES NOT HAVE A DUTY TO NOTIFY OR  
17 WARN A SETTLOR OR BENEFICIARY OF ANY OTHER BREACH OR POSSIBLE  
18 BREACH OF TRUST ON THE PART OF ANY OTHER SEPARATE TRUSTEE.

19 (9) ABSENT CLEAR AND CONVINCING EVIDENCE OF COLLUSION IN A  
20 BREACH OF TRUST, ALL OF THE FOLLOWING APPLY:

21 (A) A SEPARATE TRUSTEE IS NOT LIABLE FOR THE ACT OR OMISSION  
22 OF ANY OTHER SEPARATE TRUSTEE OF THE AGGREGATE TRUST.

23 (B) A SEPARATE TRUSTEE IN BREACH OF A TRUSTEE DUTY OF A  
24 SEPARATE TRUSTEE FUNCTION OF THE SEPARATE TRUSTEE IS THE ONLY  
25 SEPARATE TRUSTEE OF THE AGGREGATE TRUST OBLIGED TO DEFEND OR  
26 OTHERWISE RESPOND TO ANY PROCEEDING BROUGHT BY A TRUST BENEFICIARY  
27 REGARDING THAT BREACH.

1 (C) EXCEPT AS PROVIDED IN SUBDIVISION (D), A SEPARATE TRUSTEE  
2 IS LIABLE TO TRUST BENEFICIARIES FOR BREACH OF A TRUSTEE DUTY OF A  
3 SEPARATE TRUSTEE FUNCTION OF THE SEPARATE TRUSTEE AS IF THE OTHER  
4 SEPARATE TRUSTEES OF THE AGGREGATE TRUST WERE NOT IN OFFICE AND THE  
5 SEPARATE TRUSTEE WERE THE SOLE TRUSTEE OF THE AGGREGATE TRUST.

6 (D) A SEPARATE TRUSTEE MAY BE LIABLE CONCERNING A TRUSTEE  
7 FUNCTION OF ANOTHER SEPARATE TRUSTEE OF THE AGGREGATE TRUST ONLY  
8 FOR THE SEPARATE TRUSTEE'S OWN ACTIONS IN THE PERFORMANCE OF  
9 MINISTERIAL ACTS PURSUANT TO THE OTHER SEPARATE TRUSTEE'S  
10 INSTRUCTION AND ONLY TO THE EXTENT THE SEPARATE TRUSTEE ACTS IN BAD  
11 FAITH.

12 (10) AS USED IN THIS SECTION:

13 (A) "AFFIRMATIVE ACTION" BY A SEPARATE TRUSTEE DOES NOT  
14 INCLUDE A FAILURE TO ACT.

15 (B) "AGGREGATE TRUST" MEANS THE INCLUSIVE SET OF SEPARATE  
16 RELATIONS OF TRUST TO BE SEPARATELY ACCEPTED BY THE SEPARATE  
17 TRUSTEES UNDER A GIVEN SEPARATE TRUSTEES PROVISION.

18 (C) "COTRUSTEESHIP" MEANS A SET OF 1 OR MORE COTRUSTEES WHOSE  
19 RELATIONS TO ONE ANOTHER IN RESPECT OF TRUST PROPERTY IS GOVERNED  
20 BY SECTION 7703.

21 (D) "SEPARATE DISTRIBUTIONS TRUSTEE" MEANS A PERSON OR A  
22 COTRUSTEESHIP THAT IS DESIGNATED BY A SEPARATE TRUSTEES PROVISION  
23 TO EXERCISE DISCRETION AS A TRUSTEE OR TRUSTEES UNDER A  
24 DISCRETIONARY TRUST PROVISION.

25 (E) "SEPARATE INVESTMENT TRUSTEE" MEANS A PERSON OR A  
26 COTRUSTEESHIP THAT IS DESIGNATED BY A SEPARATE TRUSTEES PROVISION  
27 TO PERFORM THE TRUSTEE INVESTMENT FUNCTION AS A TRUSTEE OR



1 TRUSTEES.

2 (F) "SEPARATE RESULTANT TRUSTEE" MEANS A PERSON OR A  
3 COTRUSTEESHIP THAT IS DESIGNATED AS A TRUSTEE OR TRUSTEES TO  
4 PERFORM ALL TRUSTEE FUNCTIONS NOT ALLOCATED BY THE SEPARATE  
5 TRUSTEES PROVISION TO A SEPARATE INVESTMENT TRUSTEE OR TO ANY  
6 SEPARATE DISTRIBUTIONS TRUSTEE.

7 (G) "SEPARATE TRUSTEE" MEANS A SEPARATE RESULTANT TRUSTEE,  
8 SEPARATE INVESTMENT TRUSTEE, OR SEPARATE DISTRIBUTIONS TRUSTEE.

9 (H) "SEPARATE TRUSTEES PROVISION" MEANS A TRUST PROVISION THAT  
10 DESIGNATES OR PROVIDES A METHOD OF DESIGNATING BOTH OF THE  
11 FOLLOWING:

12 (i) A SEPARATE RESULTANT TRUSTEE.

13 (ii) A SEPARATE INVESTMENT TRUSTEE OR 1 OR MORE SEPARATE  
14 DISTRIBUTIONS TRUSTEES.

15 (I) "SEPARATE TRUSTEESHIP" MEANS THE OFFICE OF A SEPARATE  
16 TRUSTEE.

17 (J) "TRUSTEE INVESTMENT FUNCTION" MEANS A TRUSTEE FUNCTION  
18 EXPRESSLY ALLOCATED BY THE SEPARATE TRUSTEES PROVISION TO A  
19 SEPARATE INVESTMENT TRUSTEE. A TRUSTEE INVESTMENT FUNCTION MAY BE  
20 BROADLY OR NARROWLY DEFINED BY THE SEPARATE TRUSTEES PROVISION AND  
21 MAY INCLUDE ANY OF THE FOLLOWING:

22 (i) DETERMINING FOR TRUST INVESTMENT PURPOSES THE RETENTION,  
23 PURCHASE, SALE, ASSIGNMENT, EXCHANGE, TENDER, OR ENCUMBRANCE OF  
24 TRUST PROPERTY AND THE INVESTMENT AND REINVESTMENT OF UNDISTRIBUTED  
25 INCOME AND PRINCIPAL OF THE AGGREGATE TRUST.

26 (ii) MANAGEMENT, CONTROL, AND EXERCISE OF VOTING POWERS  
27 RELATED DIRECTLY OR INDIRECTLY TO ANY TRUST ASSET.

1           (iii) FOR NONPUBLICLY TRADED INVESTMENTS OR PROPERTY FOR WHICH  
 2 THERE IS NO READILY AVAILABLE MARKET VALUE, DETERMINING THE  
 3 METHODOLOGY FOR VALUING THE PROPERTY AND THE FREQUENCY OF  
 4 VALUATIONS.

5           Sec. 7704. (1) A vacancy in a trusteeship occurs if 1 or more  
 6 of the following occur:

7           (a) A person designated as trustee rejects the trusteeship.

8           (b) A person designated as trustee cannot be identified or  
 9 does not exist.

10          (c) A trustee resigns.

11          (d) A trustee is disqualified or removed.

12          (e) A trustee dies.

13          (f) A guardian or conservator is appointed for an individual  
 14 serving as trustee.

15          (2) If 1 or more cotrustees remain in office, a vacancy in a  
 16 trusteeship need not be filled. **THOUGH ANY SEPARATE TRUSTEE MAY**  
 17 **COMPRISE A COTRUSTEESHIP, THE RELATION BETWEEN RESPECTIVE SEPARATE**  
 18 **TRUSTEES SERVING UNDER A GIVEN SEPARATE TRUSTEES PROVISION IS NOT**  
 19 **ITSELF A COTRUSTEESHIP.** A vacancy in a trusteeship ~~shall~~**MUST** be  
 20 filled if the **VACANCY LEAVES EITHER OF THE FOLLOWING:**

21          **(A) A trust has no THAT IS NOT SUBJECT TO A SEPARATE TRUSTEES**  
 22 **PROVISION AS OF THE TIME OF THE VACANCY WITHOUT ANY** remaining  
 23 trustee.

24          **(B) ANY OF THE SEVERAL SEPARATE TRUSTEESHIPS GOVERNED BY AN**  
 25 **OPERATIVE SEPARATE TRUSTEES PROVISION WITHOUT ANY REMAINING**  
 26 **TRUSTEE.**

27          (3) If a vacancy in a trusteeship of a noncharitable trust is

1 to be filled, the vacancy ~~shall~~**MUST** be filled in the following  
2 order of priority:

3 (a) In the manner designated by the terms of the trust.

4 (b) By a person appointed by the court.

5 (4) If a vacancy in a trusteeship of a charitable trust is to  
6 be filled, the vacancy ~~shall~~**MUST** be filled in the following order  
7 of priority:

8 (a) In the manner designated by the terms of the trust.

9 (b) By a person selected by the charitable organizations  
10 expressly designated to receive distributions under the terms of  
11 the trust if the attorney general concurs in the selection.

12 (c) By a person appointed by the court.

13 (5) Whether or not a vacancy in a trusteeship exists or is  
14 required to be filled, the court may appoint an additional trustee  
15 or special fiduciary upon the showing of good cause.

16 **(6) AS USED IN THIS SECTION, "COTRUSTEESHIP", "SEPARATE**  
17 **TRUSTEE", "SEPARATE TRUSTEES PROVISION", AND "SEPARATE TRUSTEESHIP"**  
18 **MEAN THOSE TERMS AS DEFINED IN SECTION 7703B.**

19 Enacting section 1. This amendatory act does not take effect  
20 unless all of the following bills of the 99th Legislature are  
21 enacted into law:

22 (a) House Bill No. 6130.

23 (b) House Bill No. 6131.