

## LEGISLATIVE BILL 1268

Approved by the Governor April 12, 1996

Introduced by Lindsay, 9

AN ACT relating to trust companies; to amend section 8-226, Revised Statutes Supplement, 1994; to change a prohibition on the use of certain terms; and to repeal the original section.  
Be it enacted by the people of the State of Nebraska,

Section 1. Section 8-226, Revised Statutes Supplement, 1994, is amended to read:

8-226. (1) No individual, firm, corporation, or association doing business directly or indirectly in the State of Nebraska shall use the words trust, trust company, ~~or~~ trust association, or trust fund as any part of its title except:

(a) A trust company as defined in section 8-230;

(b) A trust company chartered and supervised under the laws of the United States or any other state;

(c) A bank or savings association chartered and supervised under the laws of the United States or any other state, if such bank or savings association has been further chartered to conduct a trust company business;

(d) A limited partnership to the extent ~~or as~~ authorized by subdivision (4) of section 67-234;

(e) An entity required by any other law to use such words; or

(f) Except as provided in subsection (2) of this section.

(2) Notwithstanding the provisions of subsection (1) of this section:

(a) An organization described in section 501(c)(3) of the Internal Revenue Code and exempt from taxation under section 501(a) of the code may use the words trust or trust fund;

(b) A trust created by a testamentary or fiduciary document may use the word trust; and

(c) An account in a financial institution established by or on behalf of trusts referenced in subdivision (b) of this subsection may use the words trust or trust fund.

(3) A violation of Any person, persons, or corporation violating the provisions of this section shall be guilty of is a Class V misdemeanor.

Sec. 2. Original section 8-226, Revised Statutes Supplement, 1994, is repealed.