

Kansas Administrative Regulations

Office of the State Bank Commissioner

Article 23.—Trust Supervision

17-23-16. Location of trust documents.

(a) Unless an exception is granted by the commissioner, all of the original governing instruments establishing a fiduciary relationship with a bank or trust company shall be permanently maintained and located at one site, which shall be one of the following:

- (1) The main bank or trust company location;
- (2) an approved branch or trust service office; or
- (3) another site approved by the commissioner.

(b) The following factors shall be considered by the commissioner in determining whether to grant an exception:

- (1) The cost to the bank or trust company to maintain all original governing instruments at one site;
- (2) the additional burden to the bank or trust company to maintain all original governing instruments at one site; and
- (3) the effect that storage at separate locations will have on the ability of the commissioner, or the commissioner's designees, to efficiently conduct an examination of the bank or trust company.

(c) All other records shall be stored at any main bank or trust company location, an approved branch or trust service office, or another site approved by the commissioner.

(d) For purposes of examination, the bank or trust company shall make available original governing instruments and other records as deemed necessary by the commissioner to complete an examination.

(Authorized by K.S.A. 9-1713 and K.S.A. 9-1130; implementing K.S.A. 9-1603, 9-1130, and K.S.A. 1999 Supp. 9-2103; effective Feb. 28, 1994; amended April 28, 2000.)