

No. 362, S.]

[Published July 25, 1957.

#### CHAPTER 404

AN ACT to amend 231.205 (3); and create 231.205 (6) of the statutes, relating to life use by settlor of trusts, eligibility of a trust for bequests and devises and powers under trusts.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 231.205 (3) of the statutes is amended to read:

231.205 (3) Any or all of the powers listed in sub. (1) may be exercised without affecting the validity of the trust, its nontestamentary character and its independent existence and eligibility for the receipt of property bequeathed, devised and appointed to it, \* \* \* *and* the exercise of a power, under sub. (1) (a) to amend, alter or modify the provisions of the instrument shall be effective to change such provisions as to property devised, bequeathed or appointed by will to the trust \* \* \* *even though* the settlor's will is \* \* \* *not re-executed or republished* after the exercise of such power.

SECTION 2. 231.205 (6) of the statutes is created to read:

231.205 (6) Any amendment, alteration or modification of a trust subject to this section shall be effective to change the provisions thereof as to property devised, bequeathed or appointed by will to the trust even though the will is not re-executed or republished after the effective date of the amendment, alteration or modification, if the settlor or testator is alive on or after the effective date of this subsection (1957).

Approved July 20, 1957.