

**Proposed South Dakota Trust Code
Statute cross reference with Uniform provision**

SDTC proposed section	CHAPTER - §	Comparable section of UTC	NOTES
101	55-4-36	101	
102	55-1-3	106(a)	Repeal in favor of UTC definition
102(a)(1)	55-1-6	103(1)	
102(a)(2)			
102(a)(3)	55-4-1(1)	103	
102(a)(4)			
102(a)(5)			
102(a)(6)	21-22-1(1)	204(b)	
102(a)(6)	55-1-12	103(2)	
102(a)(7)	none	103(3)	
102(a)(8)		103(4)	
102(a)(9)			
102(a)(10)			
102(a)(11)			
102(a)(12)		103(5)	
102(a)(13)		103(6)	
102(a)(13)	55-2-13	103(13)	
102(a)(14)		103(7)	
102(a)(15)		103(8)	
102(a)(16)	55-4-1(2)	103(3)	
102(a)(17)			
102(a)(18)		103(10)	
102(a)(19)		103(11)	
102(a)(20)		103(12)	
102(a)(21)			
102(a)(22)			
102(a)(23)			
102(a)(24)		103(13)	
102(a)(25)	55-1-12		
102(a)(25) "Settlor"	55-3-44	103(14) "Settlor"	
102(a)(26)		103(15)	
102(a)(27)		103(16)	
102(a)(28)		103(17)	
102(a)(29)	55-1-2	103(18)	
102(a)(29)	55-4-1(4)		
102(a)(30)	21-22-1(5)	103(19)	
102(a)(30)	55-1-12	103(16)	New
102(a)(30)	55-1A-2		
102(a)(30)	55-3-7	103	
102(a)(30)	55-4-1(5)		
102(b)			
103			
104			
105	none	105	
106	21-22-2		
106	55-3-1	104	
106(a)	55-1-2		

SDTC proposed section	CHAPTER - §	Comparable section of UTC	NOTES
106(b)	55-1-6	102(b)	
106(b)	55-1-7	102(b)	
106(b)(1)			
106(b)(2)	55-1-8	102(b)	
106(b)(3)	55-1-9	102(b)	
106(b)(4)	55-1-10	102(b)	
106(b)(5)	55-1-11	102(b)	
106(c)			
106(d)			
106(e)			
107(a)	55-3-39(1)	107(1)	
107(b)			
107(c)			
107(d)	55-3-39(2)	107(2)	
107(e)	55-3-40		
108(a)	55-3-39(3)	108(a)	
108(b)			
108(c)			
108(d)	55-3-41	108(h)	
108(e)			
108(f)	55-3-42	108(b)	
108(g)		108(c)	
108(h)			
108(i)	55-3-43	108(e)	
108(j)		108(i)	
109		104	
110		109	
111		110	
112		111	
201		501	
202(a)	55-3-2	401(1)	Recommend repeal
202(b)	55-3-4	401(2)	Repeal as necessary
202(c)		401(3)	
202(d)	55-3-3	none	
203	55-3-2	402	
203(a)	55-1-4	402(a)	
203(b)	55-1-5	402(a)	
203(b)		402(b)	
203(c)		402(a)(3)	
203(d)			
203(e)		402(c)	
203(f)	55-1-15	402(5)	New
204			
205	55-1-1	404	
206		405	

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206	55-9-1	405(a)	
206(c)	55-9-4	405(c)	
207		408	
208		403	
209		406	
210		407	
211	55-9-2	409	
212(a)	55-3-23	410(a)	UTC language not kept in (a) or (b)
212(b)	55-3-30		
213(a)	55-3-24	411(a)	
213(b)	55-3-24	411(b)	
213(c)			
213(d)	55-3-25	411(e)	
213(e)	55-3-24	411(d)	
213(e)	55-3-25	none	
213(f)	55-3-24	none	
213(g)	55-3-24	none	
214(a)	55-3-26	412(a)	
214(b)		412(b)	
214(c)	55-3-26	412(c)	
215	55-9-4	413	
216	55-3-27	414	
216(a)		414(a)	
216(b)		414(b)	
216(c)		none	
216(d)		414(c)	
216(e)		414(e)	
217	55-3-28	415	
218	55-3-28	416	
219	55-3-29	417	Adopted SDCL not UTC
220	none	none	Taken from Iowa
221	none	none	Taken from Iowa
301		504	
301	55-1-18		
302	55-1-14		
303(a)	55-1-16	502(a)	Did not adopt UTC
303(b)	55-1-17	502(b)	
303(c)	55-1-19	502 (c)	
304			
305		506	
306		505	
307			
308	55-3-47		
401	55-16-1	none	
401	55-16-3	none	

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402	55-16-2	none	<u>Includes 2006 legislation</u>
403	55-16-4	none	
404	55-16-5	none	
405	55-16-6	none	
406	55-16-7	none	
407	55-16-8	none	
408	55-16-9	none	
409	55-16-10	none	
410	55-16-11	none	
411	55-16-12	none	
412	55-16-13	none	
413	55-16-14	none	
414	55-16-15	none	
415	55-16-16	none	
416	55-16-16	none	<u>Need to still check this out?</u> <u>Frances?</u>
501(a)		602(b)	
501(b)		602(c)	
501(c)		602(d)	
501(d)	55-3-6	602(e)	
501(e)		602(f)	
501(f)		602(g)	
502(a)		603(a)	
502(b)		603(b)	
502(c)	55-4-30	none	
503		604	
504	55-2-12		
601	55-9-2	none	
601	55-9-3	none	
602(a)	55-9-4	none	
602(b)			
602(c)	55-9-4	none	
602(d)	55-9-5	none	
603(1)	55-9-6(1)	none	
603(2)	55-9-6(2)	none	
603(3)	55-9-6(3)	none	
603(4)	55-9-6(4)	none	
603(5)	55-9-6(5)	none	
603(6)	55-9-6(6)	none	
603(7)	55-9-6(7)	none	
603(8)	55-9-6(8)	none	
604	55-9-7	none	
605(1)	55-9-8	none	
605(2)	55-9-10	none	
605(3)	55-9-11	none	

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605(4)	55-9-12	none	
606	55-9-9	none	
607	55-9-13	none	
608	55-9-14	none	
701(a)			
701(b)	55-1B-1(5)	none	
701(c)			
701(d)			
701(e)	55-1B-1(4)	none	
701(f)	55-1B-1(1)	none	Includes 2006 legislation
701(g)	55-1B-1(3)	none	
701(h)	55-1B-1(2)	none	
702(a)(1)	55-1B-6(1)	none	
702(a)(2)	55-1B-6(2)	none	
702(a)(3)	55-1B-6(3)	none	
702(a)(4)	55-1B-6(4)	none	
702(a)(5)	55-1B-6(5)	none	
702(a)(6)	55-1B-6(6)	none	
702(a)(7)	55-1B-6(7)	none	
702(a)(8)	55-1B-6(8)	none	
702(a)(9)	55-1B-6(9)	none	
702(a)(10)	55-1B-6(10)	none	
702(a)(11)	55-1B-6(11)	none	
703	55-1B-8	none	
704	55-1B-10	none	
705	55-1B-11	none	
706	55-1B-9	none	
707	55-1B-4	none	
707	55-1B-5	none	
708(b)(1)	55-1B-2(1)	none	Includes 2006 legislation
708(b)(2)	55-1B-2(2)	none	
709	55-1B-3	none	
710	55-1B-7	none	
801	55-15-1		
802	55-15-2		
803	55-15-3		
804	55-15-4		
805	55-15-5		
806	55-15-6		
807	55-15-7		
808	55-15-8		
809	55-15-9		
810	55-15-10		
811	55-15-11		
812	55-15-12		

SDTC proposed section	CHAPTER - §	Comparable section of UTC	NOTES
813	55-15-13		
814	55-15-14		
901	55-1-13	701	Repeal part
901(a)		701(a)	
901(b)		701(b)	
901(c)		701(c)	
902	21-22-10	702	Repeal
902	21-22-11	702	Repeal
903(a)	55-4-3	703(a)	
903(b)	55-3-18	703(b)	
903(c)		703(c)	
903(d)	55-4-3	703(d)	
903(e)		703(e)	
904	21-22-12		Repeal
904(a)	55-3-16	704(a)	
904(b)	55-3-20	704(b)	
904(c)	55-3-21	704(c)	
904(d)	55-3-20	704(d)	
904(d)	55-3-21	704(d)	
904(e)	55-3-21	704(e)	
905(a)		705(a)	
905(b)		705(b)	
905(c)		705(c)	
906(a) (see comment)	55-3-19	706(a)	Repeal not included
906(b)	55-3-20	706(b)	
906(c)		706(c)	
906(d)	55-3-17		
906(d)(1)	55-3-17(1)	1005	
906(d)(2)	55-3-17(2)	none	
906(d)(3)	55-3-17(3)	none	
906(d)(4)	55-3-17(4)	none	
906(d)(5)	55-3-17(5)	none	
906(d)(6)	55-3-17(6)	none	
907	55-3-19	707	
908(a)	55-3-14	708(a)	
908(b)		708(b)	
908(c)			
908(d)	55-3-15	none	
909(a)	55-3-13	709(a)	
909(b)	55-1A-34	709(b)	
909(c)	55-3-15	none	
1001	55-2-1	801	
1001	55-3-5	801	
1001	55-4-32	801	First half/ modifies UTC position
1001	55-4-38(1)	801	

SDTC proposed section	CHAPTER - §	Comparable section of UTC	NOTES
1002(a)	55-2-2	802(a)	
1002(b)	55-4-13	802(b)	
1002(b)(1)	55-2-3(4)		
1002(b)(2)	55-2-3(2)	802(b)(4)	
1002(b)(2)	55-2-3(3)		
1002(b)(3)			
1002(b)(4)	55-2-3(1)	802(b)(2)	
1002(b)(5)	55-3-12	802(b)(5)	Recommend to repeal
1002(c)	55-4-13	802(c)	
1002(c)(1)			
1002(c)(2)			
1002(c)(3)			
1002(c)(4)	55-4-10	802(c)	
1002(c)(5)	55-4-10	802(c)	
1002(d)	55-2-8	802(d)	
1002(e)		802(e)	
1002(f)	55-1A-10	802(f)	
1002(f)	55-1A-9	802(f)	
1002(g)		802(g)	
1002(h)	55-2-5	802(h)	Repeal
1002(h)(1)			
1002(h)(2)			
1002(h)(3)	55-4-14	802(h)(3)	
1002(h)(4)	55-4-11	802(h)(4)	*Cover in banking to require interest
1002(i)		802(i)	
1003	55-2-4	803	Repeal – included in duty
1004	55-2-12	812	
1005	none	809	With Iowa addition
1006(a)		810(a)	
1006(b)	55-2-9	810(b)	
1006(c)		810(c)	
1006(d)		810(d)	
1007(a)	55-2-13	813(a)	
1007(b)	55-2-13	813(b)	
1007(c)	21-22-30		
1007(c)	55-3-45	813(c)	1011/1205 (180 days)
1007(d)		813(d)	
1008	55-3-12	811	With Iowa addition
1009	55-3-10	804	
1009	55-5-6	804	Art. 9
1101	55-1A-1	815(a)	
1101(a)(1)	55-3-7		(may be in def (23)) last sent. unnecessary
1101(a)(2)(B)	55-1A-38	815(a)(2)	
1101(b)			
1101(c)	55-4-2		Repeal recommended
1102(a)(1)	55-1A-6	816(1)	

SDTC proposed section	CHAPTER - §	Comparable section of UTC	NOTES
1102(a)(2)	55-1A-11	816(2)	
1102(a)(2)	55-1A-8	816(2)	
1102(a)(2)	55-1A-9	816(2)	
1102(a)(3)	55-1A-11	816(3)	
1102(a)(4)	55-1A-10	816(4)	
1102(a)(5)	55-1A-23	816(5)	
1102(a)(6)	55-1A-21	816(6)	
1102(a)(6)	55-1A-7	816(6)	
1102(a)(7)(A)	55-1A-19	816(7)(A)	
1102(a)(7)(B)	55-1A-22	816(7)(B)	
1102(a)(7)(B)	55-4-9(1)	816(7)(B)	Repeal liability provision
1102(a)(7)(C)	55-1A-20	816(7)(C)	
1102(a)(7)(D)	55-1A-21	816(7)(D)	
1102(a)(8)	55-1A-11	816(8)	
1102(a)(8)	55-1A-14	816(8)	
1102(a)(8)	55-1A-15	816(8)	
1102(a)(8)	55-1A-16	816(8)	
1102(a)(9)	55-1A-13	816(9)	
1102(a)(10)	55-1A-12	816(10)	
1102(a)(11)	55-1A-18	816(11)	
1102(a)(12)	55-1A-11	816(12)	
1102(a)(13)		816(13)	
1102(a)(14)	55-1A-26	816(14)	
1102(a)(15)	55-1A-27	816(15)	
1102(a)(16)		816(16)	
1102(a)(17)		816(17)	
1102(a)(18)	55-1A-33	816(18)	
1102(a)(19)(B)		816(19)	
1102(a)(20)		816(20)	
1102(a)(21)	55-1A-29	816(21)	
1102(a)(22)	55-1A-30	816(22)	
1102(a)(23)	55-1A-25	816(23)	
1102(a)(24)	55-1A-25	816(24)	
1102(a)(24)	55-1A-32	816(24)	
1102(a)(25)	55-1A-24	816(25)	
1102(a)(25)	55-1A-35	816(25)	
1102(a)(26)		816(26)	
1102(a)(27)	55-1A-17	none	
1102(a)(28)	55-1A-5	none	New
1102(a)(29)	55-1A-28	none	
1102(a)(30)	55-1A-31	none	
1102(a)(31)	55-1A-36	none	
1102(a)(32)	55-1A-39	none	
1102(b)	55-1A-37	none	
1103(a)	55-4-38(2)		
1103(b)	55-4-39	814(c)	
1103(c)		814(d)	

SDTC proposed section	CHAPTER - §	Comparable section of UTC	NOTES
1103(d)	55-3-9	none	*address inconsistency
1103(d)(1)	55-4-41	814(d)(1)	
1104		808	
1105	55-1A-34	805	
1105	55-3-13	805	
1106		817	
1107(a)	55-5A-1	none	No repeal – needs to be kept by UPC – let them know.
1107(b)	55-5A-2	none	
1201(a)			
1201(b)	55-5-12	none	
1202(a)	55-5-6	804	
1202(b)	55-5-6	none	
1202(c)(1-6)	55-5-11		
1202(c)(7)			
1202(c)(8)	55-5-9	none	
1202(d)		806	
1202(e)	55-3-11	902(e)	Art. 802(e) cat “c” interest
1202(e)	55-5-11		
1203	55-1A-5	903	
1203	55-5-8	none	
1204	55-5-9	none	
1205	55-5-10		
1205	55-5-7		
1206	55-5-16	807	Modifies UTC approach
1207	55-5-14	none	
1401	55-2-6	1001	Repeal –no notice
1401(a)			
1401(b)(7)	55-4-33	1001(b)(7)	
1401(c)	55-4-32	1001(c)	
1402	21-22-26		
1402(a)(2)	55-2-2	1002(a)(2)	
1402(b)	55-2-10		
1402(c)	55-2-11	1002(b)	
1402(d)	55-2-11		
1402(d)	55-4-4	none	
1402(d)	55-4-5	none	Recommend repeal of 55-4-5
1402(e)	55-3-11		
1403	55-4-6	1003(b)	
1404(a)	55-2-13	1005(a)	
1404(b)		1005(b)	
1404(c)		1005(c)	
1404(d)		none	
1405		1006	
1406		1007	

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1407(a)	55-4-30	1008(b)	
1407(b)		1008(a)	
1408	55-4-31	1009	
1409(a)(1)	55-4-21	1010(a)	
1409(a)(2)	55-4-28	1010(b)	
1409(a)(2)	55-4-9	1010(c)	
1409(a)(3)			
1409(a)(4)	55-4-21	none	
1409(b)(1)	55-4-22(1)	none	
1409(b)(1)(A)	55-4-23	none	
1409(b)(1)(B)	55-4-22(2)	none	
1410	55-4-37	1011 generally	
1411		1012	
1412(a)	55-4-44	1013(a)	
1412(a)(1)	55-4-42(1)	1013(a)	
1412(a)(2)	55-4-42(3)		
1412(a)(3)	55-4-42(2)	1013(b)	
1412(a)(4)	55-4-42(4)		
1412(a)(5)	55-4-42(8)		
1412(a)(6)	55-4-42(5)		
1412(a)(7)	55-4-42(9)		
1412(a)(8)			
1412(a)(9)	55-4-42(7)		
1412(b)			
1412(c)			
1412(d)			
1412(e)			
1412(f)			
1412(g)			
1412(h)			
1412(i)			
1412(j)	55-4-43	none	
1413	55-4-46	none	Not addressed by UTC
1414	55-4-47	none	Not addressed by UTC
1501	none	201	
1502	none	202	
1503	21-22-5	204	
1503	21-22-9		
1504(a)	21-22-1(2)		
1504(a)	21-22-2		
1504(b)(3)	21-22-1(3)		
1504(b)(4)	21-22-1(4)		
1505(b)	21-22-9	none	
1505(c)	21-22-6	none	
1506	21-22-4	none	
1507	21-22-3	none	

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1507	21-22-9	none	
1508	21-22-7	none	
1509	21-22-8	none	
1510(a)	21-22-17	none	
1510(b)	21-22-18	none	
1510(c)	21-22-19	none	
1510(d)	21-22-20	none	
1510(e)	21-22-21	none	
1510(f)	21-22-7.1	none	
1511	21-22-13	none	
1512(a)	21-22-14	none	
1512(b)	21-22-15	none	
1512(c)	21-22-16	none	
1512(d)	21-22-30	none	
1512(e)	21-22-22	none	
1512(f)	21-22-23	none	
1512(g)	21-22-24	none	
1512(h)	21-22-25	none	
1513	21-22-28	none	
1514	55-4-19	none	
1514	55-4-25(1)	none	
1515	55-4-20	none	
1515	55-4-27	none	
1601	55-3-31	301	
1601(b)	55-3-36	301	
1601(b)	55-3-38	301	
1602	55-3-32	302/303	
1603	none	305	
1604	55-3-31		
1604	55-3-37(1)		
1605	55-3-38	none	
1606	55-3-35	none	
1607(a)	55-3-32(1)		
1607(b)	55-3-32(2)		
1607(c)	55-3-32(3)		
1607(d)	55-3-32(3)		
1607(e)	55-3-33	none	
1701	53-12-3	1102	
1702		1103	
1703		1104	
1704		1106	
1705	21-22-27	none	
Need input	55-4-24		Look at later
Need to add	55-4-29		Look at later

SDTC proposed section	CHAPTER - §	Comparable section of UTC	NOTES
none	55-2-7		Repeal
none	55-3-22		Previously repealed
none	55-3-8		Previously repealed
none	55-4-1(3)		
none	55-4-12		*Is this covered or want to transfer to banking law area.
none	55-4-15		Recommended repeal
none	55-4-16		Repeal
none	55-4-17	none	** Sent note to Real Property Committee for review.
none	55-4-18	none	** Sent note to Real Property Committee for review.
none	55-4-25(2)		
none	55-4-25(3)		
none	55-4-26		Repeal
none	55-4-35	1301	Repeal
none	55-4-40		Repeal
none	55-4-7		*Sent note to Banking Committee
none	55-4-8		*Sent note to Banking Committee
none	55-5-1 to -5		Previously repealed
none	55-5-13	none	Already assumed in 411/412
Part of 1704	55-4-34		Repeal
Part of 1704	55-4-45		Repeal
Part of 1704	55-5-15	none	Repeal - now in 1304/1306
	15-17-38	1004	
	15-17-49	1004	
	21-22-29		N/A
	43-10-		NOT MODIFIED
	55-1A-3-4.1		PREVIOUSLY REPEALED
	55-3-34	304	Put in probate statute
	55-3-46		
	55-4-42(6)		
	55-4-9(2)		