

**59-1104. Bond may be excused; court may require at any time.** Bonds otherwise required of every fiduciary under the provisions of K.S.A. 59-1101 may be excused:

- (1) When the will or trust agreement expressly waives a bond of an executor, conservator or trustee; or
- (2) when all of the known heirs, if no will has been probated, or all the devisees and legatees under a will which does not waive a bond file with the court a written waiver of a bond; or
- (3) by a duly appointed conservator, guardian *ad litem* or named trustee on behalf of his or her conservatee or *cestui que* trust or ward unless the conservator or trustee is the fiduciary; or
- (4) when the fiduciary is a bank having trust authority or a trust company organized and having its principal place of business within the state of Kansas.

On the application of any interested party, or on its own motion, the court may at any time require bond be given.

**History:** L. 1939, ch. 180, § 84; L. 1965, ch. 346, §9; L. 1975, ch. 299, § 6; Jan. 1, 1976.