

**394.620 Time and place of filing disclaimer.**

- (1) An instrument disclaiming a present interest shall be filed not later than nine (9) months after the death of the decedent or the donee of the power.
- (2) An instrument disclaiming a future interest shall be filed not later than nine (9) months after the event that determines that the taker of the property or interest is finally ascertained and his interest indefeasibly vested.
- (3) The disclaimer shall be filed in the District Court of the county in which proceedings have been commenced for the administration of the estate of the deceased owner or deceased donee of the power or, if they have not been commenced, in which they could be commenced. A copy of the disclaimer shall be delivered in person or mailed by registered or certified mail to any personal representative, or other fiduciary of the decedent or donee of the power. If real property or an interest therein is disclaimed, a copy of the disclaimer may be recorded in the office of the county clerk of the county in which the real estate is situated.

**Effective:** July 15, 1980

**History:** Amended 1980 Ky. Acts ch. 259, sec. 18, effective July 15, 1980. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 14, sec. 367, effective January 2, 1978. -- Created 1974 Ky. Acts ch. 329, sec. 2.