

**390.110 Requisites for exercise of power of appointment.**

A power of appointment is exercised only:

- (1) If the instrument exercising the power is valid under applicable law;
- (2) If the terms of the instrument exercising the power:
  - (a) Manifest the powerholder's intent to exercise the power; and
  - (b) Subject to KRS 390.150, satisfy the requirements of exercise, if any, imposed by the donor; and
- (3) To the extent the appointment is a permissible exercise of power.

**Effective:** July 15, 2020

**History:** Created 2020 Ky. Acts ch. 41, sec. 10, effective July 15, 2020.