

390.150 Permissible appointment.

- (1) A powerholder of a general power of appointment that permits appointment to the powerholder or the powerholder's estate may make any appointment, including an appointment in trust or creating a new power of appointment, that the powerholder could make in disposing of the powerholder's own property.
- (2) A powerholder of a general power of appointment that permits appointment only to the creditors of the powerholder or of the powerholder's estate is restricted to appointing to those creditors.
- (3) Unless the terms of the instrument creating a power of appointment manifest a contrary intent, the powerholder of a nongeneral power may:
 - (a) Make an appointment in any form, including an appointment in trust, in favor of a permissible appointee;
 - (b) Create a general power in a permissible appointee; or
 - (c) Create a nongeneral power in any permissible appointee to appoint to such persons as the powerholder chooses, including persons who are not permissible appointees of the original nongeneral power.

Effective: July 15, 2020

History: Created 2020 Ky. Acts ch. 41, sec. 14, effective July 15, 2020.