

386B.13-170 Removal or replacement of authorized fiduciary. (Effective July 15, 2026)

An authorized fiduciary may not exercise the decanting power to modify a provision in a first-trust instrument granting another person power to remove or replace the fiduciary unless:

- (1) The person holding the power consents to the modification in a signed record and the modification applies only to that person;
- (2) The person holding the power and the qualified beneficiaries of the second trust consent to the modification in a signed record and the modification grants a substantially similar power to another person; or
- (3) The court approves the modification and the modification grants a substantially similar power to another person.

Effective: July 15, 2026

History: Created 2026 Ky. Acts ch. 134, sec. 103, effective July 15, 2026.