

386B.3-010 Representations -- Basic effect.

- (1) Notice to a person who may represent and bind another person under this subchapter has the same effect as if notice were given directly to the other person.
- (2) The consent of a person who may represent and bind another person under this subchapter is binding on the person represented unless the person represented objects to the representation before the consent would otherwise have become effective.
- (3) Except as otherwise provided under KRS 386B.4-110 and 386B.6-020, a person who under this subchapter may represent a settlor who lacks capacity, may receive notice and give a binding consent on the settlor's behalf.
- (4) A settlor may not represent and bind a beneficiary under this subchapter with respect to the termination or modification of a trust under KRS 386B.4-110(1).
- (5) Provisions of this subchapter shall also be applicable to KRS 386B.13-010 to 386B.13-280 regarding a trustee's power to appoint principal and income in favor of a trustee of a second trust and KRS 386.454 regarding a trustee's power to adjust between principal and income and conversion to unitrust.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 134, sec. 119, effective July 15, 2026. -- Created 2014 Ky. Acts ch. 25, sec. 18, effective July 15, 2014.