

386B.13-030 Fiduciary duty in exercising decanting power.

- (1) In exercising the decanting power, an authorized fiduciary shall act in accordance with its fiduciary duties, including the duty to act in accordance with the purposes of the first trust.
- (2) KRS 386B.13-010 to 386B.13-280 do not create or imply a duty to exercise the decanting power or to inform the beneficiaries about the applicability of KRS 386B.13-010 to 386B.13-280.
- (3) Except as otherwise provided in a first-trust instrument, for purposes of KRS 386B.12-010 to 386B.12-170 and 386B.8-010 and 386B.8-020, the terms of the first trust are deemed to include the decanting power.

Effective: July 15, 2026

History: Created 2026 Ky. Acts ch. 134, sec. 89, effective July 15, 2026.