

390.140 Substantial compliance with donor-imposed formal requirement.

A powerholder's substantial compliance with a formal requirement of an appointment imposed by the donor, including a requirement that the instrument exercising the power of appointment make reference or specific reference to the power, is sufficient if:

- (1) The powerholder knows of and intends to exercise the power; and
- (2) The powerholder's manner of attempted exercise of the power does not impair a material purpose of the donor in imposing the requirement.

Effective: July 15, 2020

History: Created 2020 Ky. Acts ch. 41, sec. 13, effective July 15, 2020.