

395.050 Administrator with will annexed -- Appointment -- Functions.

- (1) If no executor is appointed by the will, or if all the executors named in the will die, refuse the executorship, or fail to provide surety bond if required by the court, the court may grant administration with the will annexed to the person who would have been entitled to administration if there had been no will, but a person whose interests are antagonistic to the provisions of the will shall not be eligible to appointment as administrator with the will annexed. Failure to provide surety bond when required by the court shall amount to refusal to act as executor.
- (2) An administrator with the will annexed shall possess and exercise all power and authority, have the same rights and interest, and be responsible in like manner as the executors named in it.

Effective: July 15, 2026

History: Amended 2026 Ky. Acts ch. 134, sec. 7, effective July 15, 2026. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 3891, 3892.