

**RCW 11.104B.180 Unitrust—Special tax benefits—Other rules. (1)**

A unitrust policy may:

(a) Provide methods and standards for:

(i) Determining the timing of distributions;

(ii) Making distributions in cash or in-kind or partly in cash and partly in-kind; or

(iii) Correcting an underpayment or overpayment to a beneficiary based on the unitrust amount if there is an error in calculating the unitrust amount;

(b) Specify sources and the order of sources, including categories of income for federal income tax purposes, from which distributions of a unitrust amount are paid; or

(c) Provide other standards and rules the fiduciary determines serve the interests of the beneficiaries.

(2) If a trust qualifies for a special tax benefit or a fiduciary is not an independent person:

(a) The unitrust rate established under RCW 11.104B.150 may not be less than three percent or more than five percent;

(b) The only provisions of RCW 11.104B.160 that apply are RCW 11.104B.160 (1) and (2) (a), (d), (e) (i), and (i);

(c) The only period that may be used under RCW 11.104B.170 is a calendar year under RCW 11.104B.170 (1) (a); and

(d) The only other provisions of RCW 11.104B.170 that apply are RCW 11.104B.170 (2) (b) (i) and (c). [2021 c 140 § 2309.]