

**Chapter 11.98 RCW**  
**TRUSTS**

**Sections**

- 11.98.002 Definitions.
- 11.98.005 Trust situs and governing law.
- 11.98.008 Trust creation—Methods.
- 11.98.009 Application of chapter.
- 11.98.011 Trust creation—Requirements.
- 11.98.012 Trust creation—Other jurisdictions.
- 11.98.013 Trust creation—Allowable purposes.
- 11.98.014 Trust creation—Oral trusts.
- 11.98.015 Noncharitable trusts without ascertainable beneficiaries.
- 11.98.016 Exercise of powers by co-trustees.
- 11.98.017 Trusteeship—Accepting and declining—Powers without acceptance.
- 11.98.019 Relinquishment of powers by trustee.
- 11.98.029 Resignation of trustee.
- 11.98.039 Nonjudicial change of trustee—Judicial appointment or change of trustee—Liability and duties of successor fiduciary.
- 11.98.041 Change of trustee—Discharge of outgoing trustee, when.
- 11.98.045 Criteria for transfer of trust assets or administration.
- 11.98.051 Nonjudicial transfer of trust assets or administration—Notice—Consent required.
- 11.98.055 Judicial transfer of situs of trusts.
- 11.98.060 Power of successor trustee.
- 11.98.065 Change in form of corporate trustee.
- 11.98.070 Power of trustee.
- 11.98.071 Trustee's delegation of duties.
- 11.98.072 Trustee—Notification requirements.
- 11.98.075 Certification of trust.
- 11.98.078 Trustee duty of loyalty.
- 11.98.080 Consolidation of trusts.
- 11.98.085 Trustee—Breach of trust—Damages.
- 11.98.100 Nonliability for action or inaction based on lack of knowledge of events.
- 11.98.105 Nonliability of third persons without knowledge of breach.
- 11.98.107 Trustee exculpation.
- 11.98.108 Nonliability of trustee—Beneficiary's consent, release, or ratification.
- 11.98.110 Contract and tort liability.
- 11.98.130 Rule against perpetuities.
- 11.98.140 Distribution and vesting of assets.
- 11.98.145 Distribution upon termination.
- 11.98.150 Distribution of assets after one hundred fifty-year period.
- 11.98.160 Effective date of irrevocable inter vivos trust—Effective date of revocable inter vivos or testamentary trust.
- 11.98.170 Designation of trustee as beneficiary of life insurance policy or retirement plan—Determination of proper recipient of proceeds—Definitions—Beneficiary designations executed before January 1, 1985, not invalidated.
- 11.98.200 Beneficiary trustee—Limitations on power.

- 11.98.210 Beneficiary trustee—Disregard of provision conferring absolute or similar power—Power of removal.
- 11.98.220 Beneficiary trustee—Inferences of law—Judicial review.
- 11.98.230 Beneficiary trustee—Income under marital deduction—Spousal power of appointment.
- 11.98.240 Beneficiary trustee—Applicability—Exceptions—Election of exception—Cause of action.
- 11.98.900 Application of RCW 11.98.130 through 11.98.160—RCW 11.68.090 prevails.
- 11.98.920 Short title.
- 11.98.930 Construction—Chapter applicable to state registered domestic partnerships—2009 c 521.

*Assignment for the benefit of creditors: Chapter 7.08 RCW.*

*Assignments to trustees, priority of wages: RCW 49.56.010.*

*Banks and trust companies: Title 30A RCW.*

#### *Cemeteries*

*endowment and nonendowment care: Chapter 68.40 RCW.*

*endowment care fund: Chapter 68.44 RCW.*

*Conveyances and encumbrances of realty when held in trust: RCW 64.04.010.*

#### *Corporate*

*powers of trust companies, bond liability, securities, etc.: RCW 30A.08.150 through 30A.08.170.*

*seals, effect of absence from instrument: RCW 64.04.105.*

#### *Corporations*

*articles to state if trust company: RCW 30A.08.020.*

*sole, property held in trust: RCW 24.12.030.*

*Costs against trustees, civil actions: RCW 4.84.150.*

*Employee benefit plans, trusts, duration, etc.: Chapter 49.64 RCW.*

*Employees' benefit deductions from wages are trust funds: RCW 49.52.010.*

*Execution against property in trustee's hands: RCW 6.17.110.*

*Fiduciary bonds: RCW 48.28.020.*

*Gifts for benefit of trust: RCW 11.12.250.*

*Guardianship: Chapter 73.36 RCW.*

#### *Insurance*

*deposits held in trust: RCW 48.16.020, 48.16.070.*

*trustee group life insurance: RCW 48.24.070.*

*Investment of trust funds: Chapter 11.100 RCW.*

*Investment of trust funds in certain federally secured obligations:*  
RCW 39.60.010.

*Loan agencies: Title 31 RCW.*

*Loans to officers of trust corporation from trust funds prohibited:*  
RCW 30A.12.120.

*Mandamus: Chapter 7.16 RCW.*

*Married persons and domestic partners, property rights and liabilities: Chapter 26.16 RCW.*

*Massachusetts trusts: Chapter 23.90 RCW.*

*Mortgages and trust receipts: Title 61 RCW.*

*Partnerships: Title 25 RCW.*

*Personal property: Title 63 RCW.*

*Pleadings, setoff against beneficiary or trustee of trust estate: RCW*  
4.32.120, 4.32.140.

*Powers of appointment, powers in trust: Chapter 11.95A RCW.*

*Private seals abolished: RCW 64.04.090.*

*Proceedings to impeach: RCW 42.04.040.*

*Prohibition: Chapter 7.16 RCW.*

*Property taxes*  
*exemptions: Chapter 84.36 RCW.*  
*generally: Title 84 RCW.*

*Prudent person rule: Chapter 11.100 RCW.*

*Recording, county auditor's duties: Chapter 65.04 RCW.*

*Recording and publication: Title 65 RCW.*

*Resulting state bank, provisions when not exercising trust powers: RCW*  
30A.49.100.

*Retail sales tax, "buyer" includes trust, business trust, etc.: RCW*  
82.08.010.

*Savings banks*  
*limitation on deposits: RCW 32.12.010.*  
*not to locate in same room with trust company: RCW*  
32.04.030.

*State depositaries: Chapter 43.85 RCW.*

*Statute of frauds: Chapter 19.36 RCW.*

*Trust business to be kept separate: RCW 30A.04.240.*

*Trust companies*

*capital requirements: RCW 30A.08.010.*

*limitation to act as executor or administrator: RCW  
11.36.010.*

*Trust company*

*as legal representative, advertising: RCW 30A.04.260,  
30A.12.130.*

*defined: RCW 30A.04.010.*

*Trust provisions may relieve trustee from duty, restriction, or  
liability imposed by statute: RCW 11.97.010.*

*Trustees' accounting act: Chapter 11.106 RCW.*

*Trusts and monopolies: State Constitution Art. 12 § 22.*

*Unclaimed property in hands of city police: Chapter 63.32 RCW.*

*Uniform*

*common trust fund act: Chapter 11.102 RCW.*

*revised uniform unclaimed property act: Chapter 63.30 RCW.*

*transfers to minors act: Chapter 11.114 RCW.*

*Use tax, "purchaser" includes trust, business trust, etc.: RCW  
82.12.010.*

*Washington savings association act: Title 33 RCW.*

*Washington savings bank act: Title 32 RCW.*

*Wills, generally: Chapter 11.12 RCW.*

*Witnesses, competency in actions involving fiduciaries: RCW 5.60.030.*