

RCW 71.32.060 Execution of directive—Elements—Effective date—

Expiration. (1) A directive shall:

- (a) Be in writing;
- (b) Contain language that clearly indicates that the principal intends to create a directive;
- (c) Be dated and signed by the principal or at the principal's direction in the principal's presence if the principal is unable to sign;
- (d) Designate whether the principal wishes to be able to revoke the directive during any period of incapacity or wishes to be unable to revoke the directive during any period of incapacity; and
- (e) Have the signature acknowledged before a notary public or other individual authorized by law to take acknowledgments, or be witnessed in writing by at least two adults, each of whom shall declare that he or she personally knows the principal, was present when the principal dated and signed the directive, and that the principal did not appear to be incapacitated or acting under fraud, undue influence, or duress.

(2) A directive that includes the appointment of an agent pursuant to a power of attorney under chapter 11.125 RCW shall contain the words "This power of attorney shall not be affected by the incapacity of the principal," or "This power of attorney shall become effective upon the incapacity of the principal," or similar words showing the principal's intent that the authority conferred shall be exercisable notwithstanding the principal's incapacity.

(3) A directive is valid upon execution, but all or part of the directive may take effect at a later time as designated by the principal in the directive.

(4) A directive may:

- (a) Be revoked, in whole or in part, pursuant to the provisions of RCW 71.32.080; or
- (b) Expire under its own terms. [2021 c 287 § 8; 2016 c 209 § 409; 2003 c 283 § 6.]

**Short title—Application—Uniformity—Federal law application—
Federal electronic signatures in global and national commerce act—
Application—Dates—Effective date—2016 c 209:** See RCW 11.125.010 and 11.125.900 through 11.125.903.