

RCW 11.86.011 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Beneficiary" means the person entitled, but for the person's disclaimer, to take an interest.

(2) "Creator of the interest" means a person who establishes, declares, or otherwise creates an interest.

(3) (a) "Date of the transfer" means:

(i) For an inter vivos transfer, the date of the creation of the interest; or

(ii) For a transfer upon the death of the creator of the interest, the date of the death of the creator.

(b) A joint tenancy interest of a deceased joint tenant is deemed to be transferred at the death of the joint tenant rather than at the creation of the joint tenancy.

(4) "Disclaimant" means a beneficiary who executes a disclaimer on his or her own behalf or a person who executes a disclaimer on behalf of a beneficiary.

(5) "Disclaimer" means any writing which declines, refuses, renounces, or disclaims any interest that would otherwise be taken by a beneficiary.

(6) "Interest" includes the whole of any property, real or personal, legal or equitable, or any fractional part, share, or particular portion or specific assets thereof, any vested or contingent interest in any such property, any power to appoint, consume, apply, or expend property, or any other right, power, privilege, or immunity relating to property. "Interest" includes, but is not limited to, an interest created in any of the following manners:

(a) By intestate succession;

(b) Under a will;

(c) Under a trust;

(d) By succession to a disclaimed interest;

(e) By virtue of an election to take against a will;

(f) By creation of a power of appointment;

(g) By exercise or nonexercise of a power of appointment;

(h) By an inter vivos gift, whether outright or in trust;

(i) By surviving the death of a depositor of a trust or P.O.D. account within the meaning of *RCW 30.22.040;

(j) Under an insurance or annuity contract;

(k) By surviving the death of another joint tenant;

(l) Under an employee benefit plan;

(m) Under an individual retirement account, annuity, or bond;

(n) Under a community property agreement;

(o) By surviving the death of a transferor of a transfer on death deed; or

(p) Any other interest created by any testamentary or inter vivos instrument or by operation of law.

(7) "Person" means an individual, corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership, association, or other entity. [2014 c 58 s 22; 1989 c 34 s 1.]

Reviser's note: *(1) RCW 30.22.040 was recodified as RCW 30A.22.040 pursuant to 2014 c 37 s 4, effective January 5, 2015.

(2) The definitions in this section have been alphabetized pursuant to RCW 1.08.015(2)(k).

**Uniformity of application and construction—Relation to
electronic signatures in global and national commerce act—2014 c 58:**
See RCW 64.80.903 and 64.80.904.