

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1063**

Chapter 7, Laws of 1991

52nd Legislature  
1991 Regular Session

WILLS--DISPOSITION OF DISCLAIMED INTEREST

EFFECTIVE DATE: 7/28/91

Passed by the House February 20, 1991  
Yeas 98 Nays 0

JOE KING  
**Speaker of the  
House of Representatives**

Passed by the Senate March 27, 1991  
Yeas 48 Nays 0

JOEL PRITCHARD  
**President of the Senate**

Approved April 8, 1991

BOOTH GARDNER  
**Governor of the State of Washington**

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1063** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON  
**Chief Clerk**

FILED

April 8, 1991 - 3:33 p.m.

Secretary of State  
State of Washington



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HOUSE BILL 1063

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Passed Legislature - 1991 Regular Session

State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Ludwig, Padden, R. Meyers and Orr.

Read first time January 17, 1991. Referred to Committee on Judiciary.

1            AN ACT Relating to disposition of disclaimed interest; and amending  
2 RCW 11.86.041.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 11.86.041 and 1989 c 34 s 4 are each amended to read  
5 as follows:

6            (1) Unless the instrument creating an interest directs to the  
7 contrary, the interest disclaimed shall pass as if the beneficiary had  
8 died immediately prior to the date of the transfer of the interest.  
9 The disclaimer shall relate back to this date for all purposes.

10           (2) Unless the disclaimer directs to the contrary, the beneficiary  
11 may receive another interest in the property subject to the disclaimer.

12           (3) Any future interest taking effect in possession or enjoyment  
13 after termination of the interest disclaimed takes effect as if the  
14 beneficiary had died prior to the date of the beneficiary's final

1 ascertainment as a beneficiary and the indefeasible vesting of the  
2 interest.

3 (4) The disclaimer is binding upon the beneficiary and all persons  
4 claiming through or under the beneficiary.

5 (5) (~~Notwithstanding subsection (1) or (3) of this section, no~~  
6 ~~beneficiary whose interest has been disclaimed shall be deemed to have~~  
7 ~~died for purposes of RCW 11.12.120~~) Unless the instrument creating the  
8 interest directs to the contrary, a beneficiary whose interest in a  
9 devise or bequest under a will has been disclaimed shall be deemed to  
10 have died for purposes of RCW 11.12.110.

Passed the House February 20, 1991.

Passed the Senate March 27, 1991.

Approved by the Governor April 8, 1991.

Filed in Office of Secretary of State April 8, 1991.