

**Chapter 11.95A RCW**  
**UNIFORM POWERS OF APPOINTMENT ACT**

**Sections**

ARTICLE 1  
GENERAL PROVISIONS

- 11.95A.001 Short title.
- 11.95A.010 Definitions.
- 11.95A.020 Governing law.
- 11.95A.030 Common law and principles of equity supplement.

ARTICLE 2  
CREATION, REVOCATION, AND AMENDMENT OF POWER OF APPOINTMENT

- 11.95A.100 Creation of power of appointment.
- 11.95A.110 Power not transferable.
- 11.95A.120 Presumption of unlimited authority.
- 11.95A.130 Presumption of unlimited authority—Exception.
- 11.95A.140 Rules of classification.
- 11.95A.150 Power to revoke or amend.

ARTICLE 3  
EXERCISE OF POWER OF APPOINTMENT

- 11.95A.200 Requisites for exercise of power of appointment.
- 11.95A.210 Intent to exercise—Determining intent from residuary clause.
- 11.95A.220 Intent to exercise—After-acquired power.
- 11.95A.230 Substantial compliance with donor-imposed formal requirement.
- 11.95A.240 Permissible appointment.
- 11.95A.250 Appointment to deceased appointee or permissible appointee's descendant.
- 11.95A.260 Impermissible appointment.
- 11.95A.270 Selective allocation doctrine.
- 11.95A.280 Capture doctrine—Disposition of ineffectively appointed property under general power.
- 11.95A.290 Disposition of unappointed property—Released or unexercised general power.
- 11.95A.300 Disposition of unappointed property—Released or unexercised nongeneral power.
- 11.95A.310 Disposition of unappointed property—Partial appointment to taker in default.
- 11.95A.320 Appointment to taker in default.
- 11.95A.330 Powerholder's authority to revoke or amend exercise.
- 11.95A.340 Notice of exercise of testamentary power.
- 11.95A.350 Exercise of power in favor of holder—Limitations.
- 11.95A.355 Exercise of power in favor of holder—Disregard of provision conferring absolute or similar power—Power of removal.
- 11.95A.360 Exercise of power in favor of holder—Income under marital deduction—Spousal power of appointment.
- 11.95A.365 Exercise of power in favor of holder—Inference of law.
- 11.95A.370 Exercise of power in favor of holder—Applicability.
- 11.95A.375 Exercise of power in favor of holder—Cause of action.

ARTICLE 4

DISCLAIMER OR RELEASE—CONTRACT TO APPOINT OR NOT TO APPOINT

- 11.95A.400 Disclaimer.
- 11.95A.410 Authority to release.
- 11.95A.420 Method of release.
- 11.95A.430 Revocation or amendment of release.
- 11.95A.440 Power to contract—Presently exercisable power of appointment.
- 11.95A.450 Power to contract—Power of appointment not presently exercisable.
- 11.95A.460 Remedy for breach of contract to appoint or not to appoint.

ARTICLE 5

RIGHTS OF POWERHOLDER'S CREDITORS IN APPOINTIVE PROPERTY

- 11.95A.500 Creditor claims—General power created by powerholder.
- 11.95A.510 Creditor claims—General power not created by powerholder.
- 11.95A.520 Power to withdraw.
- 11.95A.530 Creditor claims—Nongeneral power.

ARTICLE 6

MISCELLANEOUS PROVISIONS

- 11.95A.900 Uniformity of application and construction.
- 11.95A.901 Relation to electronic signatures in global and national commerce act.
- 11.95A.902 Application—Existing relationships.
- 11.95A.903 Effective date—2021 c 140 ss 3101-3614.