

**524.2-1111 DISCLAIMER OF POWER OF APPOINTMENT OR OTHER POWER NOT HELD IN A FIDUCIARY CAPACITY.**

If a holder disclaims a power of appointment or other power not held in a fiduciary capacity, the following rules apply:

- (1) if the holder has not exercised the power, the disclaimer takes effect as of the time the instrument creating the power becomes irrevocable;
- (2) if the holder has exercised the power, the disclaimer takes effect immediately after the last exercise of the power; and
- (3) the instrument creating the power is construed as if the power expired when the disclaimer became effective.

**History:** 2009 c 67 s 11