

**RCW 11.104B.320 Receipts normally apportioned—Marital deduction property not productive of income.** (1) If a trust received property for which a gift or estate tax marital deduction was allowed and the settlor's spouse holds a mandatory income interest in the trust, the spouse may require the trustee, to the extent the trust assets otherwise do not provide the spouse with sufficient income from or use of the trust assets to qualify for the deduction, to:

(a) Make property productive of income;

(b) Convert property to property productive of income within a reasonable time; or

(c) Exercise the power to adjust under RCW 11.104B.070.

(2) The trustee may decide which action or combination of actions in subsection (1) of this section to take. [2021 c 140 s 2413.]