

**RCW 11.95A.355 Exercise of power in favor of holder—Disregard of provision conferring absolute or similar power—Power of removal.** If the holder of a lifetime or testamentary power of appointment may exercise the power in his or her own favor only for his or her health, education, support, or maintenance as described in section 2041 or 2514 of the Internal Revenue Code and the applicable regulations adopted under that section, then a provision of the instrument creating the power of appointment that purports to confer "absolute," "sole," "complete," "conclusive," or a similar discretion shall be disregarded in the exercise of that power in favor of the holder, and that power may then only be exercised reasonably and in accordance with the ascertainable standards set forth in RCW 11.95A.350 and this section. A person who has the right to remove or replace a trustee does not possess nor may the person be deemed to possess, by virtue of having that right, the power of the trustee who is subject to removal or to replacement. [2021 c 140 s 3606; 1993 c 339 s 8. Formerly RCW 11.95.110.]

**Severability—1993 c 339:** See note following RCW 11.98.200.