

**RCW 11.98.045 Criteria for transfer of trust assets or administration.** (1) If a trust is a Washington trust under RCW 11.98.005, a trustee may transfer the situs of the trust to a jurisdiction other than Washington if the trust instrument so provides or in accordance with RCW 11.98.051 or 11.98.055.

(2) Transfer under this section is permitted only if:

(a) The transfer would facilitate the economic and convenient administration of the trust;

(b) The transfer would not materially impair the interests of the qualified beneficiaries or others interested in the trust;

(c) The transfer does not violate the terms of the trust;

(d) The new trustee is qualified and able to administer the trust or such assets on the terms set forth in the trust; and

(e) The trust meets at least one condition for situs listed in RCW 11.98.005(1) with respect to the new jurisdiction.

(3) Acceptance of such transfer by a foreign corporate trustee or trust company under this section or RCW 11.98.051 or 11.98.055 may not be construed to be doing a "trust business" as described in \*RCW 30.08.150(9). [2013 c 272 s 14; 2011 c 327 s 23; 1985 c 30 s 45. Prior: 1984 c 149 s 74.]

**\*Reviser's note:** RCW 30.08.150 was recodified as RCW 30A.08.150 pursuant to 2014 c 37 s 4 and amended by 2014 c 37 s 167, deleting subsection (9), effective January 5, 2015.

**Application—2013 c 272:** See note following RCW 11.98.002.

**Application—Effective date—2011 c 327:** See notes following RCW 11.103.020.

**Short title—Application—Purpose—Severability—1985 c 30:** See RCW 11.02.900 through 11.02.903.

**Severability—Effective dates—1984 c 149:** See notes following RCW 11.02.005.