

59-18-109 Release of power to select charitable donees.

- (1) The trustee of a trust all of the unexpired interests in which are devoted to one or more charitable purposes, unless the creating instrument expressly provides otherwise, may release a power to select charitable donees.
- (2) The release of a power to select charitable donees may apply to all or any part of the property subject to the power and may reduce or limit the charitable organizations or classes of charitable organizations in whose favor the power is exercisable.
- (3) A release shall be effected by a duly acknowledged written instrument signed by the trustee and delivered as provided in Subsection (4).
- (4) Delivery of a release shall be accomplished as follows:
 - (a) if the release is accomplished by specifying a charitable organization or organizations as beneficiary or beneficiaries of the trust, by delivery of a copy of the release to each designated charitable organization;
 - (b) if the release is accomplished by reducing the class of permissible charitable organizations, by delivery of a copy of the release to the attorney general.
- (5) If a release is accomplished by specifying a public charitable organization or organizations as beneficiary or beneficiaries of the trust, the trust at all times thereafter shall be operated exclusively for the benefit of and supervised by the specified public charitable organization or organizations.

Renumbered and Amended by Chapter 2, 1987 General Session