

**22-3-404 Receipts not normally apportioned -- Principal receipts.**

A trustee shall allocate to principal:

- (1) to the extent not allocated to income under this chapter, assets received from a transferor during the transferor's lifetime, a decedent's estate, a trust with a terminating income interest, or a payer under a contract naming the trust or its trustee as beneficiary;
- (2) money or other property received from the sale, exchange, liquidation, or change in form of a principal asset, including realized profit, subject to this part;
- (3) amounts recovered from third parties to reimburse the trust because of disbursements described in Subsection 22-3-502(1)(g) or for other reasons to the extent not based on the loss of income;
- (4) proceeds of property taken by eminent domain, but a separate award made for the loss of income with respect to an accounting period during which a current income beneficiary had a mandatory income interest is income;
- (5) net income received in an accounting period during which there is no beneficiary to whom a trustee may or must distribute income; and
- (6) other receipts as provided in Sections 22-3-408 through 22-3-415.

Enacted by Chapter 285, 2004 General Session