

**75-5a-107 Other transfer by fiduciary.**

- (1) Subject to Subsection (3), a personal representative or trustee may make an irrevocable transfer to another adult or trust company as custodian for the benefit of a minor under Section 75-5a-110, in the absence of a will or under a will or trust that does not contain an authorization to do so.
- (2) Subject to Subsection (3), a conservator may make an irrevocable transfer to another adult or trust company as custodian for the benefit of the minor pursuant to Section 75-5a-110.
- (3) A transfer under Subsection 75-5a-110(1) or (2) may be made only if:
  - (a) the personal representative, trustee, or conservator considers the transfer to be in the best interest of the minor;
  - (b) the transfer is not prohibited by or inconsistent with provisions of the applicable will, trust agreement, or other governing instrument; and
  - (c) the transfer is authorized by the court, if it exceeds \$10,000 in value.

Enacted by Chapter 272, 1990 General Session