

**§1217. Removal or replacement of authorized fiduciary**

An authorized fiduciary may not exercise the decanting power to modify a provision in a first-trust instrument granting another person power to remove or replace the authorized fiduciary unless: [PL 2021, c. 235, §1 (NEW).]

**1. Person holding power consents.** The person holding the power to remove or replace the authorized fiduciary consents to the modification in a signed record and the modification applies only to the person;  
[PL 2021, c. 235, §1 (NEW).]

**2. Person holding power and qualified beneficiaries consent.** The person holding the power to remove or replace the authorized fiduciary and the qualified beneficiaries of the 2nd trust consent to the modification in a signed record and the modification grants a substantially similar power to another person; or  
[PL 2021, c. 235, §1 (NEW).]

**3. Court approves.** The court approves the modification and the modification grants a substantially similar power to remove or replace the authorized fiduciary to another person.  
[PL 2021, c. 235, §1 (NEW).]

**SECTION HISTORY**

PL 2021, c. 235, §1 (NEW).

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