

633E.13 When disclaimer barred or limited.

1. A disclaimer is barred by a written waiver of the right to disclaim.
2. A disclaimer of an interest in property is barred if any of the following events occur before the disclaimer becomes effective:
 - a. The disclaimant accepts the interest sought to be disclaimed.
 - b. The disclaimant voluntarily assigns, conveys, encumbers, pledges, or transfers the interest sought to be disclaimed or contracts to do so.
 - c. A judicial sale of the interest sought to be disclaimed occurs.
3. A disclaimer, in whole or part, of the future exercise of a power held in a fiduciary capacity is not barred by its previous exercise.
4. A disclaimer, in whole or part, of the future exercise of a power not held in a fiduciary capacity is not barred by its previous exercise unless the power is exercisable in favor of the disclaimant.
5. A disclaimer is barred or limited if so provided by law other than [this chapter](#), except as provided in [subsection 7](#).
6. A disclaimer of a power over property which is barred by [this section](#) is ineffective. A disclaimer of an interest in property which is barred by [this section](#) takes effect as a transfer of the interest disclaimed to the persons who would have taken the interest under [this chapter](#) had the disclaimer not been barred.
7. A disclaimer may be made at any time unless otherwise barred and any other law that would bar a disclaimer due to the passage of time shall not apply under [this chapter](#).

[2004 Acts, ch 1015, §20](#)

C2005, §633.913

[2005 Acts, ch 38, §52, 53](#)

CS2005, §633E.13

[2010 Acts, ch 1020, §4, 5](#)

Referred to in [§633E.4](#), [633E.16](#)