

633A.4805 Powers of trust protector.

1. The powers of a trust protector are as provided in the governing instrument and may be exercised or not exercised, in the best interests of the beneficiaries as a class, in the sole and absolute discretion of the trust protector and are binding on all other persons. The powers may include the following:

- a. Modify or amend the trust instrument to achieve favorable tax status or respond to changes in the Internal Revenue Code, state law, or the rulings and regulations thereunder.
- b. Increase or decrease the interests of any beneficiaries to the trust.
- c. Modify the terms of any power of appointment granted by the trust. However, a modification or amendment shall not grant a beneficial interest to any individual or class of individuals not specifically provided for under the trust instrument.
- d. Remove and appoint a trustee, trust director, or other person designated in the governing trust instrument.
- e. Terminate the trust.
- f. Veto or direct trust distributions.
- g. Change situs of the trust.
- h. Change the governing law of the trust.
- i. Appoint a successor trust protector.
- j. Interpret terms of the trust instrument at the request of the trustee.
- k. Advise the trustee on matters concerning a beneficiary.
- l. Amend or modify the trust instrument to take advantage of laws governing restraints on alienation, distribution of trust property, or the administration of the trust.
- m. Provide direction regarding notification of qualified beneficiaries pursuant to [section 633A.4213](#).
- n. Add to the trust an individual beneficiary or beneficiaries from a class of individuals identified in the governing instrument.
- o. Add to the trust a charitable beneficiary or beneficiaries from a class of charities identified in the trust instrument.
- p. Provide other powers in the governing instrument.

2. The powers referenced in [subsection 1](#), paragraphs “e”, “f”, and “l”, may be granted notwithstanding the provisions of [sections 633A.2201 through 633A.2208](#).

[2020 Acts, ch 1076, §11](#)

Referred to in [§633A.4207](#), [633A.4807](#)

NEW section