

**Sec. 13.70.110. When disclaimer permitted, barred, or limited.**

(a) A disclaimer is permitted unless barred under (b) - (f) of this section. A disclaimer is permitted even though the disclaimant is insolvent.

(b) A disclaimer is barred by a written waiver of the right to disclaim.

(c) A disclaimer of an interest in property is barred if any of the following events occurs before the disclaimer becomes effective:

(1) the disclaimant accepts the interest sought to be disclaimed;

(2) the disclaimant voluntarily assigns, conveys, encumbers, pledges, or transfers the interest sought to be disclaimed or contracts to assign, convey, encumber, pledge, or transfer the interest sought to be disclaimed; or

(3) a judicial sale or a nonjudicial foreclosure sale of the interest sought to be disclaimed occurs.

(d) 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.

(e) 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.

(f) A disclaimer of an interest in or power over property under this chapter is barred and is not effective

(1) to the extent the disclaimant is in arrears in child support payments; or

(2) if the disclaimant is involved in a pending court or administrative proceeding to establish or modify the disclaimant's child support obligation or to establish whether the disclaimant is the biological father or mother of a child.

(g) A disclaimer of a power over property that is barred by this section is ineffective. A disclaimer of an interest in property that 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.