

**§2-704. Power of appointment; compliance with specific reference requirement**

A powerholder's substantial compliance with a formal requirement of appointment imposed in a governing instrument by the donor, including a requirement that the instrument exercising the power of appointment make reference or specific reference to the power, is sufficient if: [PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

**1. Knows of and intends to exercise power.** The powerholder knows of and intends to exercise the power; and  
[PL 2017, c. 402, Pt. A, §2 (NEW); PL 2019, c. 417, Pt. B, §14 (AFF).]

**2. Does not impair a material purpose.** The powerholder's manner of attempted exercise does not impair a material purpose of the donor in imposing the requirement.  
[RR 2019, c. 1, Pt. A, §16 (COR).]

**SECTION HISTORY**

PL 2017, c. 402, Pt. A, §2 (NEW). PL 2017, c. 402, Pt. F, §1 (AFF). PL 2019, c. 417, Pt. B, §14 (AFF). RR 2019, c. 1, Pt. A, §16 (COR).

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