

**ELECTION TO QUALIFY
TERMINABLE INTEREST PROPERTY
AND/OR POWER OF APPOINTMENT PROPERTY**

[KRS 140.080(1)(a)]

INSTRUCTIONS: This election is to be signed by the decedent's personal representative (or trustee or transferee if no personal representative). The election is irrevocable and must be filed with the Department of Revenue on or before the due date of the Inheritance Tax Return or with the first tax return filed, whichever occurs last.

DECEDENT'S NAME _____

DECEDENT'S ADDRESS _____

DECEDENT'S DATE OF DEATH _____ CODE HR _____

PERSONAL REPRESENTATIVE'S NAME _____

PERSONAL REPRESENTATIVE'S ADDRESS _____

I, _____, as personal representative (or trustee or transferee) of the Estate of _____ and pursuant to Item(s) _____ of decedent's Last Will and Testament which creates a qualifying life income interest in a trust or life estate which is in a form that would qualify for the federal estate tax marital deduction under Section 2056(b)(5) or 2056(b)(7) of the Internal Revenue Code of 1954, as amended through December 31, 1984, hereby irrevocably elects to treat the property passing under said item(s) of decedent's Last Will and Testament as property transferred to _____ as surviving spouse for purposes of the exemption granted to the spouse under KRS 140.080(1)(a). It is understood that the remainder or balance of the trust or life estate will be included in the surviving spouse's estate for Kentucky inheritance and estate tax purposes at its value on the death of the surviving spouse regardless of where surviving spouse is domiciled.

Signature of Person Making the Election

Date