

386A.8-080 Application of assets in winding up.

- (1) Upon the winding up of a statutory trust, the assets of the trust shall be distributed as follows:
 - (a) First, payment or adequate provisions for payment shall be made to creditors, including, to the extent permitted by law, beneficial owners who are creditors in satisfaction of liabilities of the trust;
 - (b) Second, unless otherwise provided in the governing instrument, to beneficial owners in satisfaction of liabilities for distributions declared but unpaid; and
 - (c) Third, unless otherwise provided in the governing instrument, to beneficial owners in proportion to their respective rights to share in distributions from the trust prior to dissolution.
- (2) Upon the winding up of a series statutory trust, the assets of or associated with a series shall be distributed in accordance with KRS 386A.4-110.

Effective: July 12, 2012

History: Created 2012 Ky. Acts ch. 81, sec. 71, effective July 12, 2012.