

2024 Regular Session

HOUSE BILL NO. 718

BY REPRESENTATIVE CARVER

TAX: Repeals certain provisions of law referring to inheritance taxes

1 AN ACT

2 To amend and reenact R.S. 6:314(E), R.S. 9:1515(C) and (D), and R.S. 47:2437, relative to  
3 taxes; to repeal from certain provisions of law references to a previously repealed  
4 inheritance tax; to repeal certain notification requirements relating to a previously  
5 repealed inheritance tax; to make technical changes; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 6:314(E) is hereby amended and reenacted to read as follows:

9 §314. Trust deposits; death of depositor; payment

10 \* \* \*

11 E. No bank paying a beneficiary in accordance with this Section shall be  
12 liable to the estate or any heir of the decedent nor shall the account holder be liable  
13 for any estate, ~~inheritance~~, or succession taxes which may be due the state, and  
14 delivery of the funds shall constitute a full and complete discharge of the bank for  
15 the payment or delivery so made and shall relieve the bank from all adverse claims  
16 thereto by a person claiming as a surviving or former spouse or a successor to such  
17 a spouse. No tax collector, creditor, heir, legatee, personal representative, or any  
18 other person shall have any right or cause of action against the financial institution  
19 on account of such payment, ~~and R.S. 47:2410 shall not apply to such cases.~~

20 \* \* \*

1 Section 2. R.S. 9:1515(C) and (D) are hereby amended and reenacted to read as  
2 follows:

3 §1515. Payment to surviving spouse or children of deceased; last wages due by  
4 employers

5 \* \* \*

6 C. The employer may make the payments referred to in this Section; without  
7 any court proceedings, order, or judgment authorizing the same and without  
8 determining ~~whether or not any inheritance taxes may be due~~ or whether the funds  
9 belong to the separate estate of the decedent or to the community which existed  
10 between the decedent and the surviving spouse, ~~but only if the employer forwards~~  
11 ~~an affidavit stating the name of the deceased, the amount paid, the name of the~~  
12 ~~recipient, and a copy of the release document substantiating the release to the~~  
13 ~~secretary of the Department of Revenue within ten calendar days of the release of the~~  
14 ~~funds.~~

15 D. The execution of the instrument referred to in Subsection B of this  
16 Section and the receipt of such person for such payment shall constitute a full release  
17 and discharge of the employer for the amount paid ~~and for all inheritance taxes~~  
18 ~~which may be determined to be due.~~ No person natural or juridical shall have any  
19 right or cause of action against such employer because of such payment. ~~R.S.~~  
20 ~~47:2410 does not apply in such cases.~~

21 \* \* \*

22 Section 3. R.S. 47:2437 is hereby amended and reenacted to read as follows:

23 §2437. Installment payments; agreement

24 A. The secretary may enter into an agreement with the estate of a decedent  
25 for the payment of the ~~inheritance tax~~ and estate transfer tax due to the state of  
26 Louisiana on an installment basis.

27 B. ~~This~~ The agreement may be entered into only if the estate of the decedent  
28 meets the criteria of rules and regulations established by the secretary.

1           C. The agreement shall provide for the payment of legal interest on the  
2           installment payments in accordance with R.S. 13:4202 from the date the taxes  
3           became due under the provisions of ~~R.S. 47:2425 and 2432~~ R.S. 47:2432.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 718 Original

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Carver

**Abstract:** Repeals references to a previously repealed inheritance tax.

Proposed law repeals from the following provisions of present law references to an inheritance tax (which tax was repealed by Act No. 822 of the 2008 Regular Session):

- (1) R.S. 6:314(E) (relative to trust deposits).
- (2) R.S. 9:1515(C) and (D) (relative to payment of a deceased person's last wages to surviving spouses or children).
- (3) R.S. 47:2437 (relative to payments of certain state taxes due from the estate of a decedent).

Proposed law repeals from present law certain notification requirements relating to the previously repealed inheritance tax.

Proposed law makes technical changes in present law.

(Amends R.S. 6:314(E), R.S. 9:1515(C) and (D), and R.S. 47:2437)