



- (4) The transfer on death account agreement between the financial institution and the owner provides terms and conditions for disposition of proceeds in the event the beneficiary predeceases the owner.

Proposed law provides that the provisions of proposed law shall not apply unless the financial institution requires an owner to designate or change the beneficiary of a transfer on death account in the following manner:

- (1) The designation of beneficiary or change of beneficiary form shall be executed by authentic act by the owner at an office of the financial institution. Provides that a designation of beneficiary or change of beneficiary form submitted by the owner to the financial institution electronically shall be void and without effect.
- (2) The designation of beneficiary or change of beneficiary form shall not be executed on behalf of an owner by a representative of the owner under the authority of a power of attorney or other representative agreement.
- (3) For transfer on death accounts with more than one owner, the designation of beneficiary or change of beneficiary form shall be executed in the manner provided herein by all owners of the account.

Proposed law provides that the procedures described in proposed law are considered minimum standards and shall not be interpreted to prohibit a financial institution from establishing additional terms and conditions under which it will handle transfer on death account designation of beneficiary. Provides that any additional terms and conditions imposed on transfer on death accounts shall be void and without effect to the extent the terms and conditions conflict with proposed law.

Proposed law provides that the financial institution and the beneficiary, or the representatives and heirs of either, shall not be held liable and are discharged from all claims to the funds or assets held in the transfer on death account by the estate, surviving spouse, heirs, legatees or forced heirs of a deceased owner if it transfers the funds or assets of the account to the named beneficiary provided that the beneficiary is named by the owner in accordance with proposed law.

Proposed law provides that the provisions of proposed law shall not be construed or interpreted to prohibit any claim by the owner's estate or his heirs and legatees to assert a vice of the owner's consent in executing a designation of beneficiary or change of beneficiary form. Provides that the financial institution shall be entitled to assert a vice of consent claim provided that the designation or change is made in accordance with proposed law.

Proposed law provides that the provisions of proposed law shall not apply to a debt secured by the owner's pledge or assignment of the funds or assets held in the transfer on death account.

Present law (R.S. 6:314) provides for certain procedures related to administration and payment by banks of trust deposits upon the death of a depositor.

Proposed law repeals present law.

Present law (R.S. 6:653.1) provides for certain procedures related to administration and payment by credit unions of trust deposits upon the death of a depositor.

Proposed law repeals present law.

Present law (R.S. 6:766.1) provides for certain procedures related to administration and payment by mutual associations of trust deposits upon the death of a depositor.

Proposed law repeals present law.

Present law (R.S. 9:1711-1711.9) provides for the Louisiana Uniform Transfer on Death Security Registration Act.

Proposed law repeals present law.

Effective August 1, 2026.

(Adds R.S. 6:1368; repeals R.S. 6:314, 653.1, 766.1 and R.S. 9:1711.1-1711.9)