

2026 Regular Session

SENATE BILL NO. 378

BY SENATOR JACKSON-ANDREWS

MATRIMONIAL REGIMES. Provides for the revocation of beneficiary designation for certain assets. (8/1/26)

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AN ACT

To amend and reenact R.S. 9:2449.1 and R.S. 22:911.1, relative to divorce; to provide with respect to certain beneficiary designation prior to divorce; to provide for the automatic revocation of certain benefits upon divorce; to provide with respect to certain retirement accounts; to provide relative to life insurance; to provide for liability of payor of certain proceeds upon death; to provide relative to exceptions; to provide for prospective and retroactive application; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2449.1 is hereby amended and reenacted to read as follows:

§2449.1. Revocation upon divorce; deferred compensation plans

A. A divorce of an individual from the individual's spouse revokes any benefit payable to the former spouse by reason of the individual's death under any pension, profit-sharing, retirement, or similar benefit plan, provided that the divorce occurs after the beneficiary is designated, the parties remained divorced from each other at the time of death, and no judgment or property-settlement agreement expressly provides otherwise. If revocation occurs, the proceeds of the plan are

1 payable as if the former spouse had predeceased the decedent.

2 B. A payor is not liable for having made payment in good faith reliance on
3 the validity of a beneficiary designation affecting any pension, profit-sharing,
4 retirement, or similar benefit plan before the payor has received written notice of the
5 divorce, judgment, or property-settlement agreement at its home office or principal
6 office with notice that the beneficiary designation has been revoked under this
7 Section and has had a reasonable time within which to act.

8 C. This Section shall not apply to any beneficiary designation made pursuant
9 to the Louisiana Public Retirement Law.

10 **D. The provisions of this Section shall be given prospective and**
11 **retroactive application.**

12 Section 2. R.S. 22:911.1 is hereby amended and reenacted to read as follows:

13 §911.1. Revocation upon divorce; beneficiary designation in life insurance and
14 annuity contracts

15 A. In all policies of life or endowment insurance and in all annuity contracts,
16 divorce revokes any revocable designation made by a divorced individual to the
17 former spouse, provided that the divorce occurs after the beneficiary is designated,
18 the parties remained divorced from each other at the time of death, and no judgment
19 or property-settlement agreement expressly provides otherwise. If revocation occurs,
20 the proceeds of the policy or annuity contract are payable as if the former spouse had
21 predeceased the decedent.

22 B. A payor is not liable for having made payment in good faith reliance on
23 the validity of a beneficiary designation affecting any insurance policy or annuity
24 before the payor has received written notice of the divorce, judgment, or property-
25 settlement agreement and has had a reasonable time within which to act.

26 **C. The provisions of this Section shall be given prospective and**
27 **retroactive application.**

