SLS 26RS-1049 **ORIGINAL**

2026 Regular Session

SENATE CONCURRENT RESOLUTION NO. 19

BY SENATOR MILLER

TRUSTS. Requests the Louisiana State Law Institute to study the use of trusts with extended durations and report its findings and any recommendations for revisions to the Louisiana Trust Code and applicable Louisiana laws to the legislature.

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the use of trusts with extended durations and to report its findings and any recommendations for revisions to the Louisiana Trust Code and applicable Louisiana laws to the Legislature of Louisiana.

WHEREAS, the Louisiana Trust Code establishes rules regarding the creation, administration, and duration of trusts consistent with Louisiana's civil law tradition; and

WHEREAS, under existing Louisiana law, trusts are subject to limitations on duration that have historically reflected the public policy of preventing the long-term restriction of property and ensuring that assets remain capable of transfer and productive economic use; and

WHEREAS, the administration of trusts and related fiduciary services has become increasingly competitive, with many states adopting trust laws that allow extended durations to promote the in-state management of trust assets; and

WHEREAS, as a result, Louisiana residents may elect to establish trusts under the laws of other states to take advantage of such provisions, potentially leading to a loss of trust-related business activity and associated assets within Louisiana; and

WHEREAS, there is a need to review the Louisiana Trust Code to ensure that its

provisions reflect current industry practices and provide sufficient flexibility to address the increasingly complex estate planning needs of Louisiana individuals and families who utilize trusts; and

WHEREAS, potential revisions may also raise important policy considerations, including the long-term concentration of wealth, reduced circulation of property interests, impacts on taxation and creditor rights, increased litigation, administrative complexity, and questions concerning compatibility with Louisiana's civil law tradition; and

WHEREAS, a comprehensive and balanced study would assist the legislature in evaluating whether modifications to Louisiana laws governing trust duration and vesting requirements may be appropriate and in understanding both the opportunities and policy implications of such changes.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to study the use of trusts with extended durations and to report its findings and any recommendations for revisions to the Louisiana Trust Code and applicable Louisiana laws to the legislature.

BE IT FURTHER RESOLVED that the Louisiana State Law Institute report its findings and recommendations to the legislature on or before March 1, 2027.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the director of the Louisiana State Law Institute.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SCR 19 Original 2026 Regular Session Miller

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