
The original instrument was prepared by Jerry J. Guillot. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jerry G. Jones.

DIGEST

Gallot (SB 607)

Proposed law provides that if an individual domiciled in this state was divorced at the time of his death, then any designation of the individual's former spouse as beneficiary of the individual's life insurance policy, annuity contract, pension or profit-sharing plan, or other contractual arrangement providing for payment to the former spouse, which designation was revocable by the individual but was not revoked prior to the individual's death, is ineffective and shall be construed as if the former spouse had predeceased the individual except as provided in proposed law.

Provides that proposed law shall not apply if the designation was intended to survive the divorce based on at least one of the following:

- (1) The wording of the designation.
- (2) A court order.
- (3) A written contract between the individual and the former spouse.
- (4) A designation of a former spouse as a beneficiary after the divorce decree has been issued.

Proposed law provides that unless restrained by court order, no insurance company, pension or profit-sharing plan trustee or other obligor shall be liable for making payments to a former spouse that would have been proper in the absence of proposed law. Further provides that any former spouse to whom payment is made shall be answerable to anyone prejudiced by the payment.

Proposed law does not apply to any retirement system for public employees.

Effective August 1, 2014.

(Adds R.S. 9:314)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Deleted application to spouse in a pending divorce.