

RÉSUMÉ DIGEST

ACT 18 (HB 124)

2020 Regular Session

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Existing law (R.S. 9:1783(A)(3)) provides who can serve as a trustee and includes out-of-state trust companies operating in La. pursuant to existing law (R.S. 6:626).

New law amends existing law to exclude out-of-state trust companies that establish a trust representative office in La. from those out-of-state trust companies that may serve as a trustee.

Prior law (R.S. 9:2207) permitted a competent beneficiary to relieve a trustee from liability in certain circumstances but included an exception for releases concerning the improper advancement of money or conveyance of property to a beneficiary of a spendthrift trust or a trust with restrictions on the beneficiary's right to alienate.

New law removes both the exception and the competency requirement, and provides that a beneficiary may relieve a trustee from liability in certain circumstances.

Effective Aug. 1, 2020.

(Amends R.S. 9:1783(A)(3) and 2207)