

2024 Regular Session

HOUSE BILL NO. 718

BY REPRESENTATIVE CARVER

1 AN ACT

2 To amend and reenact R.S. 6:314(E), R.S. 9:1515(C) and (D), and R.S. 47:2437, relative to
3 taxes; to repeal from certain provisions of law references to a previously repealed
4 inheritance tax; to repeal certain notification requirements relating to a previously
5 repealed inheritance tax; to make technical changes; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 6:314(E) is hereby amended and reenacted to read as follows:

9 §314. Trust deposits; death of depositor; payment

10 * * *

11 E. No bank paying a beneficiary in accordance with this Section shall be
12 liable to the estate or any heir of the decedent nor shall the account holder be liable
13 for any estate, ~~inheritance~~, or succession taxes which may be due the state, and
14 delivery of the funds shall constitute a full and complete discharge of the bank for
15 the payment or delivery so made and shall relieve the bank from all adverse claims
16 thereto by a person claiming as a surviving or former spouse or a successor to such
17 a spouse. No tax collector, creditor, heir, legatee, personal representative, or any
18 other person shall have any right or cause of action against the financial institution
19 on account of such payment, ~~and R.S. 47:2410 shall not apply to such cases.~~

20 * * *

21 Section 2. R.S. 9:1515(C) and (D) are hereby amended and reenacted to read as
22 follows:

23 §1515. Payment to surviving spouse or children of deceased; last wages due by
24 employers

25 * * *

26 C. The employer may make the payments referred to in this Section; without
27 any court proceedings, order, or judgment authorizing the same and without
28 determining ~~whether or not any inheritance taxes may be due~~ or whether the funds

1 belong to the separate estate of the decedent or to the community which existed
 2 between the decedent and the surviving spouse, ~~but only if the employer forwards~~
 3 ~~an affidavit stating the name of the deceased, the amount paid, the name of the~~
 4 ~~recipient, and a copy of the release document substantiating the release to the~~
 5 ~~secretary of the Department of Revenue within ten calendar days of the release of the~~
 6 ~~funds.~~

7 D. The execution of the instrument referred to in Subsection B of this
 8 Section and the receipt of such person for such payment shall constitute a full release
 9 and discharge of the employer for the amount paid ~~and for all inheritance taxes~~
 10 ~~which may be determined to be due.~~ No person natural or juridical shall have any
 11 right or cause of action against such employer because of such payment. ~~R.S.~~
 12 ~~47:2410 does not apply in such cases.~~

13 * * *

14 Section 3. R.S. 47:2437 is hereby amended and reenacted to read as follows:

15 §2437. Installment payments; agreement

16 A. The secretary may enter into an agreement with the estate of a decedent
 17 for the payment of the ~~inheritance tax and~~ estate transfer tax due to the state of
 18 Louisiana on an installment basis.

19 B. ~~This~~ The agreement may be entered into only if the estate of the decedent
 20 meets the criteria of rules and regulations established by the secretary.

21 C. The agreement shall provide for the payment of legal interest on the
 22 installment payments in accordance with R.S. 13:4202 from the date the taxes
 23 became due under the provisions of ~~R.S. 47:2425 and 2432~~ R.S. 47:2432.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA