

State of Arkansas
93rd General Assembly
Regular Session, 2021

A Bill

HOUSE BILL 1940

By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO PROVIDE FOR THE REVOCATION OF A BENEFICIARY DEED BY WILL UNDER CERTAIN CIRCUMSTANCES; AND FOR OTHER PURPOSES.

Subtitle

TO PROVIDE FOR THE REVOCATION OF A BENEFICIARY DEED BY WILL UNDER CERTAIN CIRCUMSTANCES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 18-12-608(d)(4), concerning beneficiary deeds, is amended to read as follows:

- (4) A beneficiary deed that complies with this section may:
- (A) ~~not~~ Not be revoked, altered, or amended by the provisions of the owner's will if there is more than one (1) owner of the real property; and
 - (B) Be revoked, altered, or amended by the provisions of the owner's will if the owner is the sole owner of the real property.

SECTION 2. Arkansas Code Title 28, Chapter 26, is amended to add an additional section to read as follows:

28-26-106. Effect of will executed after conveyance by beneficiary deed.

A testator's conveyance of real property by beneficiary deed may be revoked, altered, or amended by the provisions of a will executed by the



testator if the testator:

(1) Executed his or her will after conveying the real property by beneficiary deed; and

(2) Is the sole owner of the real property conveyed by beneficiary deed.