

1 State of Arkansas  
2 93rd General Assembly  
3 Regular Session, 2021

# A Bill

HOUSE BILL 1940

4  
5 By: Representative Gazaway

## For An Act To Be Entitled

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

## Subtitle

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

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

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

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

27 (B) Be revoked, altered, or amended by the provisions of  
28 the owner's will if the owner is the sole owner of the real property.

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

33 28-26-106. Effect of will executed after conveyance by beneficiary  
34 deed.

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



1 testator if the testator:

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

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

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