

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2443

By: Piatt

AS INTRODUCED

An Act relating to banks and trust companies; exempting bank from certain duties; defining terms; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 902.1 of Title 6, unless there is created a duplication in numbering, reads as follows:

A. With respect to a deposit account that is opened and maintained as a trust account by a trustee, a bank shall have no duty or obligation to a beneficiary of the trust or other person having an interest in the trust to inquire into:

1. How the funds are used by the trustee or other person authorized to make withdrawals, even if the funds are paid to the trustee individually or to the other person authorized to make withdrawals;

2. Whether the instrument crediting the trust authorizes a particular withdrawal or transaction with the bank; or

3. Whether the funds can be pledged or hypothecated.

B. No beneficiary or other person having an interest in a trust account identified in subsection A of this section shall be able to institute an action or suit against a bank for its failure to inquire relating to paragraphs 1 and 2 of subsection A of this section.

C. As used in this section, "deposit account" means a demand, time, savings, or pass-back type or certificate-of-deposit type of account.

SECTION 2. This act shall become effective November 1, 2006.

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