

House Bill 646

By: Representative Reichert of the 126th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 53-1-20 of the Official Code of Georgia Annotated, relating to
2 renouncing succession, so as to provide renunciations of future interests; to provide for
3 related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Code Section 53-1-20 of the Official Code of Georgia Annotated, relating to renouncing
7 succession, is amended by striking paragraph (1) of subsection (f) in its entirety and inserting
8 in lieu thereof the following:

9 "(f)(1) Except as otherwise provided by the will or other governing instrument, a
10 renunciation shall cause the renounced property to pass as if the person renouncing had
11 predeceased the decedent or, in the case of property passing upon exercise of a power of
12 appointment, as if the person renouncing had predeceased the holder of the power;
13 provided, however, that, even if the acceleration of a contingent remainder or other
14 interest results. A will or other governing instrument may otherwise provide expressly
15 or by implication, but the fact that a remainder or other future interest following a
16 renounced interest is conditioned upon surviving the holder of such renounced interest
17 shall not, without more, be sufficient to indicate that such conditioned interest should not
18 accelerate by reason of such renunciation. Notwithstanding the foregoing, solely for the
19 purposes of the last clause of paragraph (5) and the last clause of paragraph (7) of
20 subsection (b) of Code Section 53-2-1, any individual renouncing who is the only sibling
21 or the only aunt or uncle surviving the decedent shall not be deemed to have predeceased
22 the decedent."

23 **SECTION 2.**

24 All laws and parts of laws in conflict with this Act are repealed.