

method of representation had the disclaimant died before the time of distribution, the disclaimed interest passes only to the descendants of the disclaimant who survive at the time of distribution.

(iii) If the disclaimed interest would have passed to the disclaimant's estate had the disclaimant died before the time of distribution, the disclaimed interest passes by representation to the descendants of the disclaimant who survive at the time of distribution. If no descendant of the disclaimant survives the time of distribution, the disclaimed interest becomes part of the residue under the instrument creating the disclaimed interest.

(B) If the disclaimant is not an individual, the disclaimed interest passes as if the disclaimant did not exist.

(4) If the disclaimed interest arose under the law of intestate succession, the disclaimed interest passes as if the disclaimant had died immediately before the intestate's death.

(5) Upon the disclaimer of a preceding interest:

(A) a future interest held by a person other than the disclaimant takes effect as if the disclaimant had died or ceased to exist immediately before the time of distribution; and

(B) a future interest held by the disclaimant is not accelerated in possession or enjoyment.

(6) If a beneficiary of a transfer on death transfer (as defined in ~~IC 32-17-14-3(16)~~ **IC 32-17-14-3(17)**) disclaims an interest in the property, the disclaimant's interest in the property passes as follows:

(A) In the case of a disclaimant who is an individual, as if the disclaimant had died immediately before the death of the owner (as defined in IC 32-17-14-3(7)).

(B) In the case of a disclaimant who is not an individual, as if the disclaimant did not exist before the death of the owner (as defined in IC 32-17-14-3(7)).

SECTION 46. IC 32-21-1-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13. **(a)** Except for a bona fide lease for a term not exceeding three (3) years, a conveyance of land or of any interest in land shall be made by a deed that is:

(1) written; and

(2) subscribed, sealed, and acknowledged by the grantor (as defined in IC 32-17-1-1) or by the grantor's attorney.

(b) If a transfer on death deed under IC 32-17-14 has been



recorded before the death of the owner (as defined in IC 32-17-14-3) with the recorder of deeds in the county in which the real property is situated, a subsequent conveyance of the real property is void if it is not recorded before the death of the owner with the recorder of deeds in the county in which the real property is situated.

SECTION 47. IC 32-21-1-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 15. **(a)** A conveyance of land that is:

(1) worded in substance as "A.B. quitclaims to C.D." (here describe the premises) "for the sum of" (here insert the consideration); and

(2) signed, sealed, and acknowledged by the grantor (as defined in IC 32-17-1-1);

is a good and sufficient conveyance in quitclaim to the grantee and the grantee's heirs and assigns.

(b) If a transfer on death deed under IC 32-17-14 has been recorded before the death of the owner (as defined in IC 32-17-14-3) with the recorder of deeds in the county in which the real property is situated, a subsequent conveyance of the real property is void if it is not recorded before the death of the owner with the recorder of deeds in the county in which the real property is situated.

SECTION 48. An emergency is declared for this act.

