

# Senate Bill 692

Sponsored by COMMITTEE ON JUDICIARY (at the request of Oregon Bankers Association)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Adds investment management accounts, safekeeping accounts and custody accounts to definition of security account for purposes of Uniform TOD Security Registration Act.

## A BILL FOR AN ACT

1  
2 Relating to the Uniform TOD Security Registration Act; creating new provisions; and amending ORS  
3 59.535.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 59.535 is amended to read:

6 59.535. For the purposes of ORS 59.535 to 59.585, unless the context otherwise requires:

7 (1) "Beneficiary form" means a registration of a security which indicates the present owner of  
8 the security and the intention of the owner regarding the person who will become the owner of the  
9 security upon the death of the owner.

10 (2) "Devisee" means any person designated in a will to receive a disposition of real or personal  
11 property.

12 (3) "Heirs" means those persons, including the surviving spouse, who are entitled under the  
13 statutes of intestate succession to the property of a decedent.

14 (4) "Person" means an individual, a corporation, an organization or other legal entity.

15 (5) "Personal representative" includes executor, administrator, successor personal represen-  
16 tative, special administrator and persons who perform substantially the same function under the law  
17 governing their status.

18 (6) "Property" includes both real and personal property or any interest therein and means any-  
19 thing that may be the subject of ownership.

20 (7) "Register," including its derivatives, means to issue a certificate showing the ownership of  
21 a certificated security or, in the case of an uncertificated security, to initiate or transfer an account  
22 showing ownership of securities.

23 (8) "Registering entity" means a person who originates or transfers a security title by registra-  
24 tion, and includes a broker maintaining security accounts for customers and a transfer agent or  
25 other person acting for or as an issuer of securities.

26 (9) "Security" means a share, participation or other interest in property, in a business, or in an  
27 obligation of an enterprise or other issuer, and includes a certificated security, an uncertificated  
28 security and a security account.

29 (10) "Security account" means:

30 (a) A reinvestment account associated with a security, a securities account with a broker, [*a*  
31 *cash balance in a brokerage account,*] cash, **cash equivalents**, interest, earnings or dividends earned

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 or declared on a security in an account, a reinvestment account or a brokerage account, whether  
2 or not credited to the account before the owner's death; [*or*]

3 (b) A cash balance or other property held for or due to the owner of a security as a replacement  
4 for or product of an account security, whether or not credited to the account before the owner's  
5 death[.]; **or**

6 (c) **An investment management account, a safekeeping account or a custody account**  
7 **with a financial institution or trust company, as those terms are defined in ORS 706.008, in-**  
8 **cluding the securities in the account and cash, cash equivalents, interest, earnings or divi-**  
9 **dends earned or declared on a security in the account, whether or not credited to the**  
10 **account before the owner's death.**

11 (11) "State" includes any state of the United States, the District of Columbia, the Commonwealth  
12 of Puerto Rico and any territory or possession subject to the legislative authority of the United  
13 States.

14 **SECTION 2. The amendments to ORS 59.535 by section 1 of this 2007 Act apply to security**  
15 **accounts maintained by a registration entity on or after the effective date of this 2007 Act.**

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