



Ohio Revised Code

Section 5814.09 Delayed time for delivery of custodial property.

Effective: April 6, 2017

Legislation: House Bill 432 - 131st General Assembly

(A) Subject to the requirements and limitations of this section, the time for delivery to the minor of custodial property transferred under or pursuant to division (A) of section 5814.02 of the Revised Code may be delayed until a specified time after the minor attains the age of twenty-one years, which time shall be specified in the written instrument that makes or provides for the gift or transfer pursuant to divisions (A)(1) to (9) of section 5814.02 of the Revised Code.

(B) To specify a delayed time for delivery to the minor of the custodial property, the words "as custodian for _____ (name of minor) until age _____ (age of delivery of property to minor) under the Ohio Transfers to Minors Act," shall be substituted in substance for the words "as custodian for _____ (name of minor) under the Ohio Transfers to Minors Act."

(C) The time for delivery to the minor of custodial property transferred under a will, trust instrument, or irrevocable exercise of a testamentary power of appointment may be delayed under this section only if the governing will, trust, or exercise of the power of appointment provides in substance that the custodianship is to continue until the time the minor attains a specified age, which time shall not be later than the date the minor attains the age of twenty-five years.

(D) If the custodial property is transferred by inter vivos gift and the time for delivery of the custodial property to the minor is delayed beyond the time the minor attains the age of twenty-one years, the custodian, nevertheless, shall deliver the custodial property to the minor if requested in writing by the minor within sixty days of the minor attaining the age of twenty-one years, unless the donor or transferor, in the written instrument of gift or transfer pursuant to divisions (A)(1) to (9) of section 5814.02 of the Revised Code, provides that the custodial property may not be delivered to the minor prior to attaining the specified age of delivery, which time shall not be later than the date the minor attains the age of twenty-five years.

(E) If the time for delivery to the minor of custodial property is delayed until a specified time after



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the minor attains the age of twenty-one years and the minor dies prior to attaining that age, the custodian shall, upon the minor's death, deliver the custodial property to the estate of the minor.

(F) A custodian may not commingle the assets of custodial property that have different delivery dates.