

(i) The parties expressly state in an account agreement that complies with subsection ~~(d)~~ (E) of this section that the account shall be subject to the terms of this section; or

(ii) 1. The depository institution [provides to each party to the account] GIVES a written notice that:

A. States that the law applicable to the account has changed ~~for~~ ~~will change effective October 1, 1993~~;

B. States that the party's rights under the account may change because of the change in law; and

C. Repeats the provisions of subsection (d) of this section; and

2. [The account is used after] AFTER that notice is given, ANY PARTY TO THE ACCOUNT:

A. INCREASES OR DECREASES THE AMOUNT OF THE DEPOSIT IN THE ACCOUNT;

B. PRESENTS EVIDENCE OF THE ACCOUNT FOR CREDITING OF INTEREST;

C. CORRESPONDS OR RESPONDS IN WRITING WITH THE DEPOSITORY INSTITUTION CONCERNING THE ACCOUNT WITHOUT REJECTING IN WRITING THE PROVISIONS OF THIS SECTION; OR

D. OTHERWISE INDICATES APPROVAL OF THE ACCOUNT BEING GOVERNED BY THIS SECTION AS EVIDENCED BY A WRITING ON FILE WITH THE DEPOSITORY INSTITUTION.

(d) (1) Upon the death of a party to a multiple-party account, the right to any funds in the account shall be determined in accordance with the express terms of the account agreement.

(2) If the account agreement does not expressly establish the right to funds in the account upon the death of a party, or if there is no account agreement, any funds in the account upon the death of a party shall belong to the surviving party or parties.

(3) Unless the account agreement expressly provides otherwise, upon the death of the last party to a multiple-party account, any funds remaining in the account shall belong to:

(i) The beneficiaries of a trust account who are then living;

(ii) The P.O.D. payees of a P.O.D. account who are then living; or

(iii) Subject to paragraph (4) of this subsection, the personal representative of:

1. The last surviving party of a trust account if no beneficiary is then living;