
HOUSE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 100 by Senator Reese

1 AMENDMENT NO. 1

2 On page 1, at the beginning of line 3, change "3434(A) and (B)" to "3434"

3 AMENDMENT NO. 2

4 On page 4, line 7, after "Art." delete "3434(A) and (B) are" and insert in lieu thereof "3434
5 is"

6 AMENDMENT NO. 3

7 On page 5, delete line 1 in its entirety and insert in lieu thereof the following:

8 "C.(1) A multiple original of the affidavit, to which has been attached a
9 certified copy of the deceased's death certificate, shall be recorded in the conveyance
10 records in the office of the clerk of court in the parish where any immovable property
11 described therein is situated, after at least ninety days have elapsed from the date of
12 the deceased's death.

13 (2) An affidavit so recorded, or a certified copy thereof, shall be admissible
14 as evidence in any action involving immovable property to which it relates or is
15 affected by the instrument, and shall be prima facie evidence of the facts stated
16 therein, including the relationship to the deceased of the parties recognized as heir,
17 **legatee**, surviving spouse in community or usufructuary as the case may be, and of
18 their rights in the immovable property of the deceased.

19 (3) An action by a person, who claims to be a successor of a deceased person
20 but who has not been recognized as such in an affidavit authorized by Article 3432
21 **or 3432.1**, to assert an interest in property formerly owned by the deceased, against
22 a third person who has acquired an interest in the property, or against his successors
23 by onerous title, is prescribed two years from the date of the recording of the
24 affidavit in accordance with this Paragraph."
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