

SENATE BILL NO. 9

BY SENATOR ALLAIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact Civil Code Arts. 655 and 656, relative to servitudes; to provide
3 relative to natural servitudes; to provide relative to natural drainage, obligations of
4 owners, and dominant and servient estates; to provide certain terms and effects; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Civil Code Arts. 655 and 656 are hereby amended and reenacted to read
8 as follows:

9 Art. 655. Natural Drainage

10 An estate situated below **is the servient estate and** is bound to receive the
11 surface waters that flow naturally from ~~an~~ **a dominant** estate situated above unless
12 an act of man has created the flow.

13 Art. 656. Obligations of the owners

14 The owner of the servient estate **situated below** may not do anything to
15 prevent the flow of the water. The owner of the dominant estate **situated above** may
16 not do anything to render the servitude more burdensome.

17 Section 2. This Act shall become effective upon signature by the governor or, if not
18 signed by the governor, upon expiration of the time for bills to become law without signature
19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____