

2021 Regular Session

SENATE BILL NO. 50

BY SENATORS CARTER, BOUIE AND TARVER AND REPRESENTATIVE GARY
CARTER

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

ANIMALS. Provides relative to determination of ownership of a domestic animal. (8/1/21)

1 AN ACT
2 To enact Civil Code Article 3419.1, relative to ownership of domestic animals; to provide
3 for determination of ownership; and to provide for related matters.
4 Be it enacted by the Legislature of Louisiana:
5 Section 1. Civil Code Article 3419.1 is hereby enacted to read as follows:
6 **Art. 3419.1. Lost things; domestic animals**
7 **To claim ownership of a domestic animal pursuant to Articles 3419 or**
8 **3490, the possessor shall prove that the animal when acquired lacked a**
9 **microchip or other owner-identifying information such as a collar, rabies tag,**
10 **or tattoo. The presence of owner-identifying information creates a rebuttable**
11 **presumption that the possessor has not satisfied the requirements for ownership**
12 **under Articles 3419 or 3490.**

The original instrument was prepared by Cathy R. Wells. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tammy Crain-Waldrop.

DIGEST

SB 50 Reengrossed

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Carter

Present law (C.C. Art. 3419) provides that anyone who finds a corporeal movable that has been lost is bound to make a diligent effort to locate its owner or possessor and to return the thing to him. If a diligent effort is made and the owner is not found within three years, the finder acquires ownership.

Present law (C.C. Art. 3490) provides that anyone who has possessed a movable as owner, in good faith, under an act sufficient to transfer ownership, and without interruption for three years, acquires ownership by prescription.

Proposed law requires the possessor of a domestic animal to prove that the animal, when acquired, lacked a microchip or other owner-identifying information such as a collar, rabies tag, or tattoo to claim ownership. The presence of such information creates a rebuttable presumption that the possessor has not satisfied the requirements for ownership required by present law. Otherwise retains present law.

Effective August 1, 2021.

(Adds C.C. Art. 3419.1)

Summary of Amendments Adopted by SenateSenate Floor Amendments to engrossed bill

1. Makes technical changes.