

2022 Regular Session

HOUSE BILL NO. 309

BY REPRESENTATIVE JENKINS

SUCCESSIONS: Provides relative to small successions

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 3434(C)(1), relative to the delivery
3 of property subject to a small succession; to provide for recordation of a death
4 certificate; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 3434(C)(1) is hereby amended and
7 reenacted to read as follows:

8 Art. 3434. Endorsed copy of affidavit authority for delivery of property

9 * * *

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

15 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 309 Original

2022 Regular Session

Jenkins

Abstract: Removes the requirement that the copy of the death certificate filed in the conveyance records be certified when transferring immovable property subject to a small succession.

Present law provides that in order to deliver immovable property described in an affidavit of small succession, a multiple original of the affidavit, to which has been attached a certified copy of the deceased's death certificate, shall be recorded in the conveyance records in the office of the clerk of court in the parish where the immovable property is situated.

Proposed law removes the requirement that the copy of the death certificate be certified.

(Amends C.C.P. Art. 3434(C)(1))