

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. For recordation purposes, a photocopy of the certified death  
15 certificate may serve as, and take the place of, the certified copy of the death  
16 certificate.

17 \* \* \*

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**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)]

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HB 309 Engrossed

2022 Regular Session

Jenkins

**Abstract:** Authorizes recordation of a photocopy of the certified death certificate in the conveyance records for purposes of 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 provides that for recordation purposes, a photocopy of the certified death certificate may serve as, and take the place of, the certified copy of the death certificate.

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

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Provide that for recordation purposes, a photocopy of the certified death certificate may serve as, and take the place of, the certified copy of the death certificate.