

2024 Regular Session

HOUSE BILL NO. 449

BY REPRESENTATIVE MELERINE

CIVIL/LAW: Provides relative to delivery of judgment of interdiction

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 4552(C) and to enact Code of Civil
3 Procedure Article 4552(D), relative to mailing of judgment of interdiction; to
4 provide that interdiction records be mailed to the registrar of voters; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Civil Procedure Article 4552(C) is hereby amended and
8 reenacted and Code of Civil Procedure Article 4552(D) is hereby enacted to read as follows:

9 Art. 4552. Recordation of notice of suit and judgment

10 * * *

11 C.(1) Within fifteen days of his qualification, the curator shall mail a
12 certified copy of a judgment of full interdiction, or limited interdiction for mental
13 incompetence which specifically suspends the right to register and vote, to the
14 registrar of voters of the parish in which the interdict is registered to vote, or
15 otherwise eligible but for the interdiction by certified mail or commercial courier.

16 (2) Within fifteen days from the signing of a judgment modifying or
17 terminating such an interdiction, the curator shall mail a copy of the modification or
18 termination to the registrar of voters of the parish in which the interdict resides by
19 certified mail or commercial courier.

1 (3) The curator shall also provide to the registrar of voters the date of birth
 2 of the interdict and the last four digits of the social security number of the interdict
 3 to ensure the proper person is removed from the voting records.

4 D. A clerk or curator whose failure to perform his duties causes damage is
 5 liable only to those who contract with the interdict and who neither knew nor should
 6 have known of the interdiction proceedings or judgment.

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 449 Engrossed

2024 Regular Session

Melerine

Abstract: Provides that interdiction records be mailed to the registrar of voters in the parish in which the interdict is registered to vote.

Present law provides that the clerk of court shall record a notice of the filing of the interdiction suit and record every judgment granting, modifying, or terminating interdiction in the conveyance and mortgage records of the parish in which the judgment was rendered.

Present law provides that the curator shall cause the judgment of interdiction to be recorded in the conveyance and mortgage records of every other parish in which the interdict owns immovable property.

Proposed law retains present law but provides that within 15 days of his qualification, the curator shall mail a copy of the judgment of interdiction to the registrar of voters and shall mail a copy of any modification or termination to the registrar of voters of the parish in which the interdict resides.

Proposed law provides that the curator shall also provide to the registrar of voters the date of birth of the interdict and the last four digits of the social security number of the interdict to ensure that the proper person is removed from the voting records.

(Amends C.C.P. Art. 4552(C); Adds C.C.P. Art. 4552(D))

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 the curator shall provide the registrar of voters the date of birth and last four digits of the social security number of the interdict.
2. Make technical change.