

2024 Regular Session

HOUSE BILL NO. 818

BY REPRESENTATIVE CARVER

FAMILY LAW: Provides relative to forced heirship

1 AN ACT

2 To amend and reenact Civil Code Article 1493(A), (B), and (D), relative to forced heirship;
3 to provide relative to the age of a forced heir; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. Civil Code Article 1493(A), (B), and (D) are hereby amended and
6 reenacted to read as follows:

7 Art. 1493. Forced heirs; representation of forced heirs

8 A. Forced heirs are descendants of the first degree who, at the time of the
9 death of the decedent, are ~~twenty-three~~ eighteen years of age or younger or
10 descendants of the first degree of any age who, because of mental incapacity or
11 physical infirmity, are permanently incapable of taking care of their persons or
12 administering their estates at the time of the death of the decedent.

13 B. When a descendant of the first degree predeceases the decedent,
14 representation takes place for purposes of forced heirship only if the descendant of
15 the first degree would have been ~~twenty-three~~ eighteen years of age or younger at the
16 time of the decedent's death.

17 * * *

18 D. For purposes of this Article, a person is ~~twenty-three~~ eighteen years of
19 age or younger until he attains the age of ~~twenty-four~~ nineteen years.

20 * * *

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 818 Original

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Abstract: Lowers the age of a forced heir from 23 of age or younger to 18 years of age or younger.

Present law provides that the age of a forced heir is 23 years of age or younger.

Proposed law changes present law to provide that the age of a forced heir is 18 years of age or younger.

(Amends C.C. Art. 1493(A), (B) and (D))