

SENATE BILL NO. 35

BY SENATOR MORRIS

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AN ACT

To amend and reenact Civil Code Art. 2652, relative to liability; to provide relative to litigious rights; to provide with respect to the sale and assignment of litigious rights; to provide relative to the assignment of a promissory note; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Civil Code Art. 2652 is hereby amended and reenacted to read as follows:

Art. 2652. Sale of litigious rights

When a litigious right is assigned, the debtor may extinguish his obligation by paying to the assignee the price the assignee paid for the assignment, with interest from the time of the assignment.

A right is litigious, for that purpose, when it is contested in a suit already filed.

Nevertheless, the debtor may not thus extinguish his obligation when the assignment **is of a promissory note, or** has been made to a co-owner of the assigned right, or to a possessor of the thing subject to the litigious right.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____