
SENATE COMMITTEE AMENDMENTS

2024 Regular Session

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 440 by Representative Berault

1 AMENDMENT NO. 1

2 On page 1, change "amend and reenact R.S. 9:3198(A)(3)" to "enact R.S. 9:3200.1"

3 AMENDMENT NO. 2

4 On page 1, line 7, change "R.S. 9:3198(A)(3) is hereby amended and reenacted" to "R.S.
5 9:3200.1 is hereby enacted"

6 AMENDMENT NO. 3

7 On page 1, delete lines 8 through 20 and insert the following:

8 "§9:3200.1. Request for copies of restrictions, covenants, or association documents

9 A. Upon a seller's acceptance of an offer to purchase residential property, a
10 buyer may request a homeowner's association, property owner's association,
11 condominium association, or any other planned community association with copies
12 of documents governing the property to be purchased, including but not limited to
13 the following:

14 (1) Building restrictions or restrictive covenants and all amendments.

15 (2) Acts creating or establishing a condominium regime or other planned
16 community and all amendments.

17 (3) Articles of incorporation, articles of organization, bylaws, operating
18 agreements and all amendments governing the homeowner's association, property
19 owner's association, condominium association or other planned community
20 association.

21 (4) Rules established by any association that affect the property.

22 B. A buyer may request a copy of any of the documents described in
23 Subsection A which are recorded in the conveyance or mortgage records from the
24 person providing title closing or title settlement services.

25 C. Any person providing a document pursuant to this Section shall not be
26 liable under this Chapter for any error, inaccuracy, or omission in a document
27 provided.

28 D. Prior to, or concurrent with the delivery of the requested documents, the
29 buyer making the request pursuant to this Section shall pay all costs incurred by the
30 person obtaining and providing the requested copies and a reasonable service fee.

31 E. Failure to request or receive these documents shall not be cause to extend
32 or terminate the purchase agreement."

33 AMENDMENT NO. 4

34 On page 2, delete lines 1 through 3 in their entirety