
DIGEST

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Ansardi

HB No. 90

Abstract: Provides for the suspension of prescriptive and preemptive periods and ratifies certain executive orders.

Proposed law ratifies Executive Orders KBB 2005-32, 48, and 67.

Proposed law creates a limited suspension of all prescription and preemptive periods from August 26, 2005, until January 3, 2006, with certain exceptions.

Proposed law provides that this limited suspension of prescription shall apply only to a prescriptive or preemptive period which would have otherwise expired during the period from August 26, 2005, until January 3, 2006.

Proposed law provides that this limited suspension shall terminate on January 3, 2006, and any right, claim, or action which was suspended shall accrue or lapse on January 4, 2006.

Proposed law provides that the mineral code shall govern all matters concerning the prescription of nonuse applicable to mineral servitudes, mineral royalty interests, and executive rights.

Proposed law provides that this Section shall preempt and supersede but not repeal any conflicting provisions of law.

Proposed law provides that this Act is remedial, curative, and procedural and shall be applied retroactively as well as prospectively.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 9:2551-2565)

Summary of Amendments Adopted by House

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

1. Clarifies that Executive Orders KBB 2005-32, 48, and 67 are approved, ratified, and confirmed in their entirety.

2. Changes the time period of the limited suspension from January 1, 2006, to January 3, 2006.
3. Changes the accrual or lapse date for any rights, claims, or actions from January 2, 2006, to January 4, 2006.