2015 Regular Session

HOUSE BILL NO. 273

BY REPRESENTATIVE BURRELL

(On Recommendation of the Louisiana State Law Institute)

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CIVIL/LAW: Provides for the repeal of civil code articles relative to respite

AN ACT

To repeal Title XVIII of Book III of the Civil Code, comprised of Civil Code Articles 3084 through 3098, relative to respite; to provide for the repeal of all provisions governing voluntary and forced respite; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Title XVIII of Book III of the Civil Code, comprised of Civil Code Articles 3084 through 3098, is hereby repealed in its entirety.

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)]

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Abstract: Provides for the repeal of voluntary and forced respite, as respite is no longer used and has been replaced by federal bankruptcy law.

Present law provides for voluntary and forced respite. Voluntary respite is when all the creditors consent to a debtor's proposal to pay in a limited time the whole or a part of his debt. Forced respite is when a part of the creditors refuse to accept the debtor's proposal, and when the debtor is obliged to compel them by judicial authority to consent to what the others have determined in the cases directed by law. Provides for procedure governing voluntary and forced respite.

Proposed law repeals present law.

(Repeals C.C. Arts. 3084-3098)