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## DIGEST

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HB 504 Engrossed

2015 Regular Session

Jay Morris

**Abstract:** Prohibits the contradiction, under certain circumstances, of a donation inter vivos made in authentic form.

Proposed law provides that a donation inter vivos in authentic form may not be contradicted to the prejudice of a bona fide third party in good faith who after its recordation acquires an interest in or over the immovable property to which the donation relates.

Provides that proposed law shall apply to all donations of immovable property made prior to and on or after July 1, 2015, and any cause of action to assert the nullity of such a donation shall be brought within the later of July 1, 2016, or one year from the recordation of the act of donation.

Proposed law emphasizes the intent of the legislature in response to the case of *Eschete v. Eschete*, 2012-CA-2059 (La. App. 1<sup>st</sup> Cir. 2/27/2014), 142 So.3d 985, in order to enforce the public records doctrine and to protect bona fide third parties who rely on such records in good faith.

(Adds R.S. 9:2371.1)

### Summary of Amendments Adopted by House

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

1. Add a technical amendment.