2017 Regular Session

HOUSE BILL NO. 75

BY REPRESENTATIVE MIGUEZ

1 AN ACT 2 To amend and reenact R.S. 40:41(C)(1) and (2), relative to vital records; to provide relative 3 to access to such records; to authorize attorneys to obtain a death certificate for 4 succession purposes under certain circumstances; and to provide for related matters. 5 Be it enacted by the Legislature of Louisiana: 6 Section 1. R.S. 40:41(C)(1) and (2) are hereby amended and reenacted to read as 7 follows: 8 §41. Disclosure of records * * 9 10 C.(1) The state registrar shall not permit inspection of the records or issue 11 a certificate, or any part thereof, unless he is satisfied that the applicant thereof is any 12 of the following: 13 (a) The the person named in the certificate, 14 (b) A or is a member of the immediate or surviving family of said person, 15 the person named in the certificate. 16 (c) A person or is named in a court proceeding as a member of the immediate 17 or surviving family of said person, the person named in the certificate. 18 (d) The or is the beneficiary of an insurance policy or trust. 19 (e) A succession representative. 20 (2)(a) The credentials of an attorney, together with a written declaration of 21 the record in which he is interested and a written declaration or oral statement that 22 he is a legal representative of one of the named parties referenced in Paragraph 23 (C)(1) of this Subsection shall constitute sufficient proof of a direct interest in the 24 matter recorded.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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1	(b) In addition to the provisions of Subparagraph (a) of this Paragraph, a
2	written declaration by the attorney that he is preparing a small succession pursuant
3	to Code of Civil Procedure Article 3431 et seq. for the deceased person whose death
4	certificate is being requested shall constitute sufficient proof of a direct interest in
5	the matter recorded.
6	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____