

---

**SENATE COMMITTEE AMENDMENTS**

2018 Regular Session

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 405  
by Senator Price

---

1 AMENDMENT NO. 1

2 On page 1, line 8, after "**In**" delete "**a**" and insert "**an incorporated**"

3 AMENDMENT NO. 2

4 On page 2, line 1, after "**in the**" insert "**mortgage and**"

5 AMENDMENT NO. 3

6 On page 3, line 3, after "**property,**" insert "**including but not limited to all mortgage**  
7 **holders,**"

8 AMENDMENT NO. 4

9 On page 3, line 5, after "**shall**" delete the remainder of the line and insert

10 **"cause the forfeiture of any and all rights of the"**

11 AMENDMENT NO. 5

12 On page 3, line 24, delete "**Paragraph**" and insert "**Paragraphs (A)(5) and**"

13 AMENDMENT NO. 6

14 On page 4, line 29, delete "**legal**" and on page 5, line 1, delete the period and insert "**,at the**  
15 **Wall Street Journal prime rate.**"

16 AMENDMENT NO. 7

17 On page 5, line 13, after "**(A)(2)**" insert "**,(3),**"

18 AMENDMENT NO. 8

19 On page 5, line 15, delete "**plus all accrued interest,**"

20 AMENDMENT NO. 9

21 On page 5, delete lines 17 and 18 and insert

22 **"(A)(2)(a) of this Section, which lien and privilege shall rank based on the date**  
23 **of recording in the mortgage records, the affidavit, and resolution as required**  
24 **in Subsubparagraphs (A)(2)(a) and (c), and the lien and privilege shall be**  
25 **inferior to all previously recorded mortgages, privileges, liens, and judgments."**

26 AMENDMENT NO. 10

27 On page 5, line 19, delete "**interests.**"

28 AMENDMENT NO. 11

29 On page 5, line 20, delete "**pledged**" and insert "**encumbered**"

1 AMENDMENT NO. 12

2 On page 5, line 25, after "G" delete the remainder of the line and lines 26 through 29

3 AMENDMENT NO. 13

4 On page 6, delete lines 1 through 22 and insert

5 **". Notwithstanding the provisions of this Section, no recorded mortgage**  
6 **privilege, lien, or judgment encumbering the subject property shall be**  
7 **extinguished or impaired by the accrual of acquisitive prescription under this**  
8 **Section, and any holder of a mortgage, privilege, lien or judgment, encumbering**  
9 **the subject property may enforce its rights through foreclosure, including the**  
10 **seizure and sale of the subject property, as though acquisitive prescription had**  
11 **not accrued."**

12 AMENDMENT NO. 14

13 On page 7, line 3, at the end of the sentence insert

14 **"Notwithstanding the provisions of this Subsection, no mortgage, privilege, lien**  
15 **or judgment encumbering the subject property shall be extinguished or**  
16 **impaired by the accrual of acquisitive prescription under this Section, and any**  
17 **holder of a mortgage, privilege, lien or judgment, encumbering the subject**  
18 **property may enforce its rights through foreclosure, including the seizure and**  
19 **sale of the subject property, as though acquisitive prescription had not**  
20 **accrued."**

21 AMENDMENT NO. 15

22 On page 7, line 16, delete "**and the rights created in Subsection G of this Section**"