

RÉSUMÉ DIGEST

ACT 122 (HB 173)

2018 Regular Session

Garofalo

Existing law provides that an action by a successor of a decedent not recognized in a judgment of possession against a third person who acquired an interest in immovable property by onerous title is prescribed in two years from the *finality* of the judgment of possession.

New law provides that the action is prescribed in two years from the *rendering* of the judgment of possession.

Existing law provides that any action against succession representatives, tutors, and curators claiming defective legal procedure or noncompliance with the law in the alienation, encumbrance, or lease of movable or immovable property is prescribed two years from the making of the alienation, encumbrance, or lease.

New law provides that the prescriptive period also applies to actions by independent succession representatives.

Effective August 1, 2018.

(Amends R.S. 9:5630(A) and 5632)