
DIGEST

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HB 5 Reengrossed

2020 First Extraordinary Session

Marino

Abstract: Provides for the suspension of prescriptive, preemptive, and abandonment periods by the supreme court in the event of a declaration of emergency or disaster by the governor.

Present law provides for various prescriptive, preemptive, or abandonment periods.

Proposed law provides that the Supreme Court of Louisiana may suspend the running of prescriptive, preemptive, and abandonment periods for a period up to 90 days if a state of emergency or disaster is declared by the governor.

Proposed law provides for continuing suspensions if the governor issues further executive orders after the 90 days have run.

Proposed law provides for the period of suspension to terminate upon the earlier of an order of the Supreme Court of Louisiana or termination of the declared state of emergency or disaster.

Proposed law provides that the right to file any pleading subject to the suspension shall terminate sixty days after the termination of the suspension.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds C.C. Art. 3472.1 and C.C.P. Art. 562)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Specify that declarations of disaster are included in proposed law.
2. Make technical changes.