The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry G. Jones.

## DIGEST 2021 Regular Session

Morris

Present law provides relative to partition of immovable property by co-owners.

<u>Present law</u> provides that if immovable property is susceptible to partition by licitation or private sale pursuant to Civil Code Article 811, and a petition to partition the property is filed by a co-owner or co-owners owning either an aggregate interest of 15% or less of the immovable property or an aggregate interest of 20% or less of the immovable property if there was past ownership of the whole by a common ascendant, the court shall allow the remaining co-owners to purchase at private sale the petitioners' shares at a price determined by a court-appointed appraiser.

<u>Proposed law</u> deletes language regarding aggregate interest of 20% or less of the immovable property if there was past ownership of the whole by a common ascendant, and retains remainder of <u>present</u> law.

<u>Present law</u> provides certain procedures and requirements for a co-owner to file a notice to exercise an option to purchase his pro rata share of the property being sold. Further provides that where past ownership of the property was by a common ascendant, the co-owner shall have 90 rather than 30 days to file the notice.

<u>Proposed law</u> deletes language providing 90 day notice where past ownership of the property was by a common ascendant, and retains remainder of <u>present law</u>.

Effective August 1, 2021.

SB 19 Original

(Amends R.S. 9:1113(A) and (B)(1))