SLS 21RS-265 ENGROSSED

2021 Regular Session

SENATE BILL NO. 62

1

BY SENATOR MILLIGAN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CIVIL COMMITMENT. Provides relative to the management of the affairs of an interdict. (8/1/21)

AN ACT

2	To enact Code of Civil Procedure Art. 4566(K), relative to the management of affairs of an
3	interdict; to provide for the establishment and maintenance of deposit accounts; and
4	to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. Code of Civil Procedure Art. 4566(K) is hereby enacted to read as
7	follows:
8	Art. 4566. Management of affairs of the interdict
9	* * *
10	K. Notwithstanding the requirements of Article 4270 or any other
11	provision of law to the contrary, a curator shall have authority to access deposit
12	accounts held in the name of the interdict and authority to establish and
13	maintain deposit accounts in the name of the "curator on behalf of the
14	interdict", unless the letters of curatorship expressly limit such authority.

The original instrument was prepared by Margaret M. Corley. The following digest, which does not constitute a part of the legislative instrument, was prepared by Carla S. Roberts.

DIGEST

SB 62 Engrossed

2021 Regular Session

Milligan

<u>Present law</u> provides for the management of affairs of the interdict and provides that the relationship between the interdict and the curator is the same as that between a minor and the minor's tutor.

<u>Present law</u> provides for the procedure for investing, reinvesting, or withdrawing funds on behalf of a minor and the procedure for obtaining court approval of payments made on behalf of the minor.

<u>Proposed law</u> retains <u>present law</u> but provides that a curator shall have authority to access deposit accounts held in the name of the interdict and authority to establish and maintain deposit accounts in the name of the "curator on behalf of the interdict", unless the letters of curatorship expressly limit such authority.

Effective August 1, 2021.

(Adds C.C.P. Art. 4566(K))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Clarifies that the curator also has authority to access existing deposit accounts of the interdict.