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

SB 19 Engrossed

DIGEST
2021 Regular Session

Morris

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

Present law 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.

Proposed law 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 present law.

Present law 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.

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

Effective August 1, 2021.

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