

2021 Regular Session

SENATE BILL NO. 74

BY SENATOR PRICE

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

SECRETARY OF STATE. Provides for the disposition of abandoned property deposited at the state archives. (gov sig)

1 AN ACT

2 To enact R.S. 44:417(D), relative to property held by the state archives; to provide for
3 disposition procedure; to provide for advertising requirements; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 44:417(D) is hereby enacted to read as follows:

7 §417. Deposit of records of historical value; transfer of deposited records to public
8 or educational institutions; **disposition of abandoned property**

9 * * *

10 **D. Notwithstanding any other provision of law to the contrary, any**
11 **property deposited with the state archives and held for more than ten years,**
12 **excluding agency storage collections, to which no person has made a claim shall**
13 **be considered abandoned and shall become property of the state archives,**
14 **provided all of the following provisions are met:**

15 **(1) At least once a week for two consecutive weeks, the state archivist**
16 **shall publish a notice and listing of the property in at least one newspaper of**
17 **general circulation in the parish of the last known address of the owner or**

1 depositor. If no record exists of the address of the last known owner or
 2 depositor, the notice shall be published in the official journal of the state. The
 3 notice shall contain:

4 (a) The name and last known address, if any, of the last known owner or
 5 depositor of the property.

6 (b) A description of the property.

7 (c) A statement that if proof of claim is not presented to the state
 8 archivist and if the claimant's right to receive the property is not established to
 9 the satisfaction of the state archivist not later than sixty-five days after the
 10 publication date of the second notice, the property shall be considered
 11 abandoned and shall become the property of the state archives.

12 (2) If no claim to the property is satisfactorily established within the
 13 sixty-five day period, title to the property shall vest in the state archives free
 14 from all claims of ownership.

15 Section 2. This Act shall become effective upon signature by the governor or, if not
 16 signed by the governor, upon expiration of the time for bills to become law without signature
 17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 18 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 19 effective on the day following such approval.

The original instrument was prepared by Matt DeVille. The following digest,
 which does not constitute a part of the legislative instrument, was prepared
 by Cathy R. Wells.

	DIGEST	
SB 74 Reengrossed	2021 Regular Session	Price

Proposed law provides that property held in the possession of the Louisiana State Archives and to which no one has asserted a claim of ownership for more than ten years will be considered abandoned and become the property of the Louisiana State Archives sixty-five days after advertisement, in a newspaper of general circulation, in the parish of the last known address of the property's owner or depositor or the official journal of the state if no record of the owner's or depositor's address exists, provided no claim to the property is established to the satisfaction of the state archivist.

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

(Adds R.S. 44:417(D))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Makes technical corrections.