2022 Regular Session

HOUSE BILL NO. 225

BY REPRESENTATIVE GREGORY MILLER

(On Recommendation of the Louisiana State Law Institute)

SUCCESSIONS: Provides for the return of donated property

AN ACT

To repeal Civil Code Articles 897 and 898, relative to successions; to repeal the ascendant's right to inherit immovables donated to a descendant; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Civil Code Articles 897 and 898 are hereby repealed in their entirety.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Abstract: Repeals the ascendant's right to inherit movables donated to a descendant.

Present law (C.C. Arts. 897 and 898) provides that ascendants inherit the immovable property given by them to their descendants who died without descendants, subject to all mortgages which the descendant may have imposed on them.

Present law further provides that ascendants inheriting such property are bound to contribute to the payment of the debts of the succession, in proportion to the value of the objects given.

Proposed law repeals present law.

(Repeals C.C. Arts. 897 and 898)