

2022 Regular Session

HOUSE BILL NO. 58

BY REPRESENTATIVE GREGORY MILLER

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 4566(D), relative to management of  
3 affairs of the interdict; to provide relative to individuals with permanent disabilities;  
4 to provide for irrevocable trusts; to provide for termination; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Code of Civil Procedure Article 4566(D) is hereby amended and  
8 reenacted to read as follows:

9 Art. 4566. Management of affairs of the interdict

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11 D.(1) A curator may place the property of the interdict in trust in accordance  
12 with the provisions of Article 4269.1. The trust shall be subject to termination at the  
13 option of the interdict upon termination of the interdiction, or if the interdict dies  
14 during the interdiction, at the option of his heirs or legatees.

15 (2) For the purpose of retaining government benefits and upon a showing by  
16 clear and convincing evidence that the interdict is permanently disabled and will not  
17 recover capacity, the trust shall be irrevocable during the life of the interdict and  
18 shall terminate upon the death of the interdict.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_