

2024 Regular Session

HOUSE BILL NO. 321

BY REPRESENTATIVE RISER

SEIZURES/SALES: Provides relative to the homestead exemption from seizure and sale

1 AN ACT

2 To amend and reenact R.S. 20:1, relative to homestead exemptions; to provide exceptions;
3 to increase the amount of acreage exempt from seizure and sale; to increase the value
4 of the exemption; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 20:1 is hereby amended and reenacted to read as follows:

7 §1. Declaration of homestead; exemption from seizure and sale; debts excluded
8 from exemption; waiver; certain proceeds from property insurance
9 exempted

10 A.(1) The bona fide homestead consists of a residence occupied by the
11 owner and the land on which the residence is located, including any building and
12 appurtenances located thereon, and any contiguous tracts up to a total of ~~five~~ ten
13 acres if the residence is within a municipality, or up to a total of two hundred acres
14 of land if the residence is not located in a municipality.

15 (2) The homestead is exempt from seizure and sale under any writ, mandate,
16 or process whatsoever, except as provided by Subsections C and D of this Section.
17 This exemption extends to ~~thirty-five thousand dollars in~~ the full value of the
18 homestead, ~~except in the case of obligations arising directly as a result of a~~
19 ~~catastrophic or terminal illness or injury, in which case the exemption shall apply to~~
20 ~~the full value of the homestead based upon its value one year before such seizure.~~

Proposed law retains present law but removes the "catastrophic or terminal illness" exception. Proposed law instead increases the value of the homestead exemption from \$35,000 to the full value of the homestead in any case. Proposed law also removes the definition of "catastrophic or terminal illness" from present law.

(Amends R.S. 20:1)