2025 Regular Session

HOUSE BILL NO. 181

BY REPRESENTATIVE WILEY

(On Recommendation of the Louisiana State Law Institute) Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana. CIVIL/PROCEDURE: Provides relative to definition of terms in the Civil Code

1	AN ACT	
2	To amend and reenact Civil Code Articles 14, 159, 234, 811(B), 1805, 1899, 1900, the	
3	heading of Chapter 7 of Title IV of Book III of the Civil Code, and Civil Code	
4	Articles 1978, 1979, 1981, 1985, 2021, 2035, 2315.1(E), 2315.2(E), 2321(C)(3),	
5	2442, 2701, 2806(B) and (C), 2838, 2841, 2843, 2844(A) and (C), 3025, 3506, and	
6	3536, to enact Civil Code Articles 15 and 3514, and to repeal Civil Code Article	
7	3343, relative to the signification of terms; to provide for definitions; to provide for	
8	use of gender and number; to provide with respect to parental authority; to provid	
9	with respect to abandonment in the survival and wrongful death actions; to provide	
10	with respect to multistate cases and conflict of laws; to provide with respect to third	
11	persons and third parties; to provide for Comments; and to provide for related	
12	matters.	
13	Be it enacted by the Legislature of Louisiana:	
14	Section 1. Civil Code Articles 14, 159, 234, 811(B), 1805, 1899, 1900, the heading	
15	of Chapter 7 of Title IV of Book III of the Civil Code, and Civil Code Articles 1978, 1979,	
16	1981, 1985, 2021, 2035, 2315.1(E), 2315.2(E), 2321(C)(3), 2442, 2701, 2806(B) and (C),	
17	2838, 2841, 2843, 2844(A) and (C), 3025, 3506, and 3536 are hereby amended and	
18	reenacted and Civil Code Articles 15 and 3514 are hereby enacted to read as follows:	

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1	CHAPTER 3. CONFLICT OF LAWS	
2	Art. 14. Multistate cases Use of gender	
3	Unless otherwise expressly provided by the law of this state, cases having	
4	contacts with other states are governed by the law selected in accordance with the	
5	provisions of Book IV of this Code. Unless the context indicates otherwise, words	
6	used with reference to one gender apply to other genders.	
7	Revision Comments - 2025	
8 9 10	This Article does not change the law. It restates the principles that existed in prior Article 3506(1). It is also consistent with other similar provisions on interpretation of laws. See, e.g., Code of Civil Procedure Article 5055; R.S. 1:8.	
11	Art. 15. Use of number	
12	Unless the context indicates otherwise, words used in the singular include the	
13	plural, and the plural includes the singular.	
14	Revision Comments - 2025	
15 16 17	This Article does not change the law. It restates the principles that existed in prior Article 3506(2) and reformulates them to be consistent with Code of Civil Procedure Article 5055 and R.S. 1:7.	
18	* * *	
19	Art. 159. Effect of divorce on community property regime	
20	A judgment of divorce terminates a community property regime retroactively	
21	to the date of filing of the petition in the action in which the judgment of divorce is	
22	rendered. The retroactive termination of the community shall be without prejudice	
23	to rights of third parties persons validly acquired in the interim between the filing of	
24	the petition and recordation of the judgment.	
25	* * *	
26	Art. 234. Parental authority; custody award	
27	Parental authority continues during marriage, unless modified by a judgment	
28	awarding custody to one parent, by a joint custody implementation order, or by a	
29	judgment awarding custody to a third person other than a parent.	
30	An ascendant, other than a parent, who is awarded custody has parental	
31	authority. The authority of a third person who is awarded custody, other than \underline{a}	

1	parent or an ascendant, is governed by the rules of tutorship, unless modified by			
2	court order.			
3	* * *			
4	Art. 811. Partition by licitation or by private sale			
5	* * *			
6	B. In the event that one or more of the co-owners are absentees or have not			
7	consented to a partition by private sale, the court shall order a partition by private			
8	sale and shall give first priority to the private sale between the existing co-owners,			
9	over the sale by partition by licitation or private sale to third parties persons. The			
10	court shall order the partition by private sale between the existing co-owners as			
11	identified in the conveyance records as of the date of filing for the petition for			
12	partition by private sale. The petition for partition by private sale shall be granted			
13	first priority, and the sale shall be executed under Title IX of Book VII of the Code			
14	of Civil Procedure.			
15	* * *			
16	Art. 1805. Enforcement of contribution			
17	A party sued on an obligation that would be solidary if it exists may seek to			
18	enforce contribution against any solidary co-obligor by making him a third party			
19	third-party defendant according to the rules of procedure, whether or not that third			
20	party third-party defendant has been initially sued, and whether the party seeking to			
21	enforce contribution admits or denies liability on the obligation alleged by plaintiff.			
22	* * *			
23	Art. 1899. Rights acquired by third parties persons			
24	Compensation can neither take place nor may it be renounced to the prejudice			
25	of rights previously acquired by third parties persons.			
26	Art. 1900. Assignment by obligee			
27	An obligor who has consented to an assignment of the credit by the obligee			
28	to a third party person may not claim against the latter third person any			

1	compensation that the obligor otherwise he could have claimed against the former			
2	obligee.			
3	An obligor who has been given notice of an assignment to which he the			
4	obligor did not consent may not claim compensation against the assignee for an			
5	obligation of the assignor arising after that notice.			
6	* * *			
7	CHAPTER 7. THIRD PARTY THIRD-PARTY BENEFICIARY			
8	Art. 1978. Stipulation for the benefit of a third party person			
9	A contracting party may stipulate a benefit for a third person called a third			
10	party third-party beneficiary.			
11	Once the third party third-party beneficiary has manifested his intention to			
12	avail himself of the benefit, the parties may not dissolve the contract by mutual			
13	consent without the beneficiary's agreement.			
14	Art. 1979. Revocation			
15	The stipulation may be revoked only by the stipulator and only before the			
16	third party third-party beneficiary has manifested his intention of availing himself			
17	of the benefit.			
18	If the promisor has an interest in performing, however, the stipulation may			
19	not be revoked without his consent.			
20	* * *			
21	Art. 1981. Rights of beneficiary and stipulator			
22	The stipulation gives the third party third-party beneficiary the right to			
23	demand performance from the promisor.			
24	Also the stipulator, for the benefit of the third party third-party beneficiary,			
25	may demand performance from the promisor.			
26	* * *			
27	Art. 1985. Effects for third parties persons			
28	Contracts may produce effects for third parties persons only when provided			
29	by law.			
30	* * *			

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1	Art. 2021. Rights of third party person in good faith		
2	Dissolution of a contract does not impair the rights acquired through an		
3	onerous contract by a third party person in good faith.		
4	If the contract involves immovable property, the principles of recordation		
5	apply to a third person acquiring an interest in the property whether by onerous or		
6	gratuitous title.		
7	* * *		
8	Art. 2035. Rights of third party person in good faith		
9	Nullity of a contract does not impair the rights acquired through an onerous		
10	contract by a third party person in good faith.		
11	If the contract involves immovable property, the principles of recordation		
12	apply to a third person acquiring an interest in the property whether by onerous or		
13	gratuitous title.		
14	* * *		
15	Art. 2315.1. Survival action		
16	* * *		
17	E. For purposes of this Article, a father or mother who has abandoned the		
18	deceased during his minority is deemed not to have survived him. Abandonment is		
19	presumed when the father or mother has left his child for a period of at least twelve		
20	months and the father or mother has failed to provide for the child's care and support,		
21	without just cause, thus demonstrating an intention to permanently avoid parental		
22	responsibility.		
23	Revision Comments - 2025		
24 25 26	This revision does not change the law. It redesignates and reproduces the substance of former Article 3506(3) as a second sentence of Paragraph E of this Article.		
27	Art. 2315.2. Wrongful death action		
28	* * *		
29	E. For purposes of this Article, a father or mother who has abandoned the		
30	deceased during his minority is deemed not to have survived him. Abandonment is		

1	presumed when the father or mother has left his child for a period of at least twelve		
2	months and the father or mother has failed to provide for the child's care and support,		
3	without just cause, thus demonstrating an intention to permanently avoid parental		
4	responsibility.		
5	Revision Comments - 2025		
6 7 8	This revision does not change the law. It redesignates and reproduces the substance of former Article 3506(3) as a second sentence of Paragraph E of this Article.		
9	* * *		
10	Art. 2321. Damage caused by animals; livestock		
11	* * *		
12	C. The owner of livestock is liable for damages for injuries to persons or		
13	property caused by the livestock that escape an enclosure and the owner could have		
14	prevented by an exercise of reasonable care. The owner of livestock is not liable for		
15	damages for injuries to person or property for livestock that escape an enclosure due		
16	to any of the following:		
17	* * *		
18	(3) Third-party <u>Third person</u> provocation of the livestock.		
19	* * *		
20	Art. 2442. Recordation of sale of immovable to affect third parties persons		
21	The parties to an act of sale or promise of sale of immovable property are		
22	bound from the time that the act is made, but such an act is not effective against third		
23	parties persons until it is filed for registry according to the laws of registry.		
24	* * *		
25	Art. 2701. Call in warranty		
26	The lessor is bound to take all steps necessary to protect the lessee's		
27	possession against any disturbance covered by the preceding Article, 2700 as soon		
28	as the lessor is informed of such a disturbance. If the lessor fails to do so, the lessee		
29	may, without prejudice to his rights against the lessor, file any appropriate action		
30	against the person who caused the disturbance.		

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1	If a third party person brings against the lessee an action asserting a right in		
2	the thing or contesting the lessee's right to possess it, the lessee may join the lessor		
3	as a party to the action and shall be dismissed from the action, if the lessee so		
4	demands.		
5	* * *		
6	Art. 2806. Ownership of immovable property; retroactivity of partnership's		
7	existence; acquisition of immovable property prior to partnership's existence		
8	* * *		
9	B. As to third parties persons, the individual partners shall be deemed to own		
10	immovable property acquired in the name of the partnership until the contract of		
11	partnership is filed for registry with the secretary of state as provided by law.		
12	C. Whenever any immovable property is acquired by one or more persons		
13	acting in any capacity for and in the name of any partnership which that has not been		
14	created by contract as required by law, and the partnership is subsequently created		
15	by contract in accordance with this Title XI of Book III of the Civil Code, the		
16	partnership's existence shall be retroactive to the date of acquisition of an interest in		
17	such the immovable property, but such the retroactive effect shall be without		
18	prejudice to rights validly acquired by third persons in the interim between the date		
19	of acquisition and the date that the partnership was created by contract.		
20	* * *		
21	Art. 2838. Name; designation as partnership in commendam.		
22	For the liability of a partner in commendam to be limited as to third parties		
23	persons, the partnership must shall have a name that appears in the contract of		
24	partnership; the name must shall include language that clearly identifies it as a		
25	partnership in commendam, such as language consisting of the words "limited		
26	partnership" or "partnership in commendam"; and the name must shall not imply that		
27	the partner in commendam is a general partner.		
28	* * *		
29	Art. 2841. Contract form; registry .		
30	A contract of partnership in commendam must shall be in writing and filed		
31	for registry with the secretary of state as provided by law. Until the contract is filed		

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- for registry, partners in commendam are liable to third parties persons in the same
 manner as general partners.
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Art. 2843. Restrictions on the partner in commendam with regard to management or administration of the partnership.

6 A partner in commendam does not have the authority of a general partner to 7 bind the partnership, to participate in the management or administration of the 8 partnership, or to conduct any business with third <u>parties persons</u> on behalf of the 9 partnership.

10 Art. 2844. Liability of the partner in commendam to third parties <u>persons</u>

11 A. A partner in commendam is not liable for the obligations of the 12 partnership unless such the partner is also a general partner or, in addition to the 13 exercise of such the partner's rights and powers as a partner, such the partner 14 participates in the control of the business. However, if If, however, the partner in 15 commendam participates in the control of the business, such the partner is liable only 16 to persons who transact business with the partnership reasonably believing, based 17 upon the partner in commendam's conduct, that the partner in commendam is a 18 general partner.

19 * *

C. The enumeration in Paragraph B <u>of this Article</u> does not mean that the
 possession or exercise of any other powers by a limited partner constitutes
 participation by such <u>the</u> partner in the business of the partnership.

- 23 * *
- Art. 3025. Termination by principal

The principal may terminate the mandate and the authority of the mandatary at any time. A mandate in the interest of the principal, and also of the mandatary or of a third party person, may be irrevocable, if the parties so agree, for as long as the object of the contract may require.

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1	Art. 3506. General definitions of terms		
2	Whenever the terms of law, employed in this Code, have not been		
3	particularly defined therein otherwise, they shall be understood as follows:		
4	1. The masculine gender comprehends the two sexes, whenever the provision		
5	is not one, which is evidently made for one of them only:		
6	Thus, the word man or men includes women; the word son or sons includes		
7	daughters; the words he, his and such like, are applicable to both males and females.		
8	2. The singular is often employed to designate several persons or things: the		
9	heir, for example, means the heirs, where there are more than one.		
10	3. AbandonedIn the context of a father or mother abandoning his child,		
11	abandonment is presumed when the father or mother has left his child for a period		
12	of at least twelve months and the father or mother has failed to provide for the child's		
13	care and support, without just cause, thus demonstrating an intention to permanently		
14	avoid parental responsibility.		
15	5. AssignsAssigns means those to whom (1) Assignment. An assignment		
16	is a transfer of rights have been transmitted by particular title;, such as by sale,		
17	donation, or particular legacy, transfer or cession.		
18	8. Children. Under this name are included those persons born of the		
19	marriage, those adopted, and those whose filiation to the parent has been established		
20	in the manner provided by law, as well as descendants of them in the direct line.		
21	A child born of marriage is a child conceived or born during the marriage of		
22	his parents or adopted by them.		
23	A child born outside of marriage is a child conceived and born outside of the		
24	marriage of his parents.		
25	12. FamilyFamily in a limited sense, signifies father, mother, and children.		
26	In a more extensive sense, it comprehends all the individuals who live under the		
27	authority of another, and includes the servants of the family.		
28	It is also employed to signify all the relations who descend from a common		
29	root.		

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1	(2) Juridical act. A juridical act is a manifestation of will intended to
2	produce legal consequences. Juridical acts may be unilateral, such as donations
3	mortis causa, or bilateral, such as contracts.

4 28. (3) Successor.--Successor is, generally speaking, the <u>A successor is a</u> person who takes the place of another. There are in law two sorts kinds of 5 6 successors: the universal successor, such as the heir, the universal legatee, and the 7 general legatee; and the particular successor by particular title, such as the buyer, 8 donee, or particular legatee of particular things, the transferee. The universal 9 successor represents the person of the deceased, and succeeds to all his rights and 10 charges. The particular successor succeeds only to the rights appertaining to the 11 thing which that is sold, ceded donated, or bequeathed, or otherwise transferred to 12 him.

13 32. (4) Third Persons.--person. With respect to a contract or judgment, third 14 persons are all who are not parties to it. In case of failure, third persons are, 15 particularly, those creditors of the debtor who contracted with him without 16 knowledge of the rights which he had transferred to another. A third person is a 17 person who is not a party to a ceremony, an instrument, a juridical act, a judgment, 18 or a legal relationship. Examples of third persons include officiants to ceremonies, 19 witnesses to instruments or juridical acts, and all those other than obligor and obligee to the legal relationship between the former and the latter. With respect to an 20 21 obligation, a third person does not include a person such as a universal successor or 22 a person who assumes the obligation or is bound by contract to recognize it. 23 **Revision Comments - 2025** 24 (a) This revision updates and reorganizes many of the concepts that were 25 contained in prior Article 3506. Provisions regarding interpretation of the Civil Code have been relocated to the Preliminary Title. See, e.g., Articles 14 and 15. Other 26

(b) Given the civil law's tendency to omit definitions in civil codes, this
revision has retained only a minimal number of defined concepts. For example, the
term "assignment" has been included with only slight modification from its
predecessor term "assigns." The inclusion of the term "assignment" in this Article
is not intended to disturb the developed jurisprudence concerning the distinction
between an assignment and a sublease in the mineral law context. The revision adds

definitions more appropriate to specific sections of the Civil Code have also been

relocated to their appropriate places. See, e.g., Articles 2315.1 and 2315.2.

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a new definition of the term "juridical act," which was not previously included in the prior law. The term "juridical act" has been included for didactic reasons and because of its overarching importance throughout the Civil Code. A juridical act may be in writing, as in the case of a "just title," see, e.g., Article 3483, or it may be oral, as in the context of general contract formation. See, e.g., Article 1927. The definition included in this revision is consistent with general civil law theory. The term "successor" has also been retained given its importance throughout the Civil Code, but its meaning has not been changed. The term "successor by particular title" has been modernized and changed to the term "particular successor" solely for consistency purposes. The distinction between things "donated" by means of an inter vivos donation and things "bequeathed" by a legacy in a testament has been preserved in the definition of "particular successor," and no substantive differentiation is intended by the use of different terms. The word "bequeathed" has been retained solely because of its use in other substantive provisions of the Civil Code. See, e.g., Articles 935, 1229, 1231, 1234, 1299, 1300, 1307, 1351, 1586, 1613, and 1725. The term "successor" used in this Article and throughout the Civil Code has a meaning that is similar, but not identical, to the term "legal successor" used in the Code of Civil Procedure. See, e.g., Code of Civil Procedure Articles 801 through 805 and 2701 through 2703.

20 (c) The term "third person" has been revised and updated to accord with its 21 modern and varied usage throughout the Civil Code. The definition of "third person" 22 in this Article includes the substance of former Article 3343 but expands upon it to 23 accommodate usage of the term in other parts of the Civil Code. A "third person" 24 is one who is not a party to the underlying transaction, obligation, or right. In the 25 context of marriage, a "third person" is anyone, including the officiant, other than the 26 individuals who are contracting marriage. See, e.g., Article 91. In the context of 27 instruments or juridical acts, a third person is anyone who is not a maker of the 28 instrument or a party bound by the juridical act. See, e.g., Articles 3342 and 3353. 29 In other contexts, the Civil Code uses the term "third person" to refer to persons not 30 a party to a specified legal relationship. See, e.g., Article 468 (pertaining to 31 deimmobilization in the absence of rights of third persons (i.e., one other than the 32 owner and a transferor)); Article 598 (referring to the encroachment on a usufruct by 33 a third person (i.e., one other than usufructuary or naked owner)); Article 1521 34 (referring to dispositions by a third person (i.e., one other than a donor and donee) 35 pursuant to a vulgar substitution); Article 1961 (pertaining to duress by a third 36 person (i.e., one other than offeror or offeree)); and Article 2465 (pertaining to a 37 sales price left to the determination of a third person (i.e., one other than a vendor or 38 a vendee)). Importantly, the articles of the Civil Code pertaining to assignment, 39 assumption, and subrogation make reference to agreements between parties to the 40 original relationship and third persons to whom rights are transferred or who assume 41 obligations. In the context of those articles, it is clear that the term "third person" 42 similarly refers to a person who is not a party to the original obligation. 43 Nevertheless, once the assignment, assumption, or subrogation occurs, the relevant 44 third person enjoys certain rights or undertakes certain obligations pursuant to the 45 original obligation and is no longer properly considered a third person to those rights 46 or obligations. For the extent of the rights assigned or obligations assumed, see, e.g., 47 Articles 1821 through 1827 and 1900. Universal successors are also excluded from 48 the definition of "third person" as universal successors "represent[] the person of the deceased," "acquire ownership of the estate," may be "liable to creditors for the 49 50 payment of the estate debts," and "continue[] the possession of the decedent with all its advantages and defects." See Articles 3506(3), 935, 1416(A), and 936. The 51 definition of the term "third person" as used in the Civil Code does not implicate the 52 53 meaning of the same term used in the Code of Civil Procedure, see, e.g., Code of 54 Civil Procedure Article 1091, or the meaning of the term "third possessor," which 55 is used in the Civil Code and defined in Article 3315.

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(d) Other terms, such as "family," have been deleted because the prior 1 2 definition was inaccurate and the current use of the term in the Civil Code can be 3 ascertained by ordinary meaning. See Article 11. The term "child" has also been 4 deleted because of the varying meanings ascribed to the term in different articles of 5 the Civil Code. Compare, e.g., Articles 196 and 197, with Articles 2315.5 and 6 2315.6. 7 BOOK IV. CONFLICT OF LAWS 8 TITLE I. GENERAL PROVISIONS 9 Art. 3514. Multistate cases 10 Unless otherwise expressly provided by the law of this state, cases having 11 contacts with other states are governed by the law selected in accordance with the 12 provisions of this Book. 13 **Revision Comments - 2025** 14 (a) This Article does not change the law. Former Article 14 has been 15 redesignated as current Article 3514 solely for purposes of more accurate placement in the Civil Code. Comments (b) and (c) to this Article have also been reproduced 16 17 from Comments (a) and (b) to prior Article 14 with only minor stylistic amendments. 18 (b) Role and function of this Article. This Article replaces Articles 14 and 15 19 (Redesignated 1987), which contained virtually all of the choice-of-law rules of the 20 Code. The choice-of-law rules are now placed in Book IV. This Article delineates 21 the scope of Book IV and establishes its residual nature vis-a-vis other more specific 22 provisions of Louisiana legislation. 23 (c) Role and function of Book IV. The scope of Book IV encompasses all 24 multistate cases or "cases having contacts with other states," whether these contacts 25 pertain to the domicile of the parties, the transaction or the occurrence giving rise to 26 the dispute, or the location of its object or subject matter. These contacts may 27 implicate the laws of the involved foreign states in a way that raises the potential of 28 a conflict between their laws and the law of this state. Book IV establishes the 29 principles for determining whether such a conflict actually exists in a given case and, 30 if so, how it should be resolved. Through these principles, a court will determine 31 whether the provisions of the first three books of the Civil Code as well as other 32 Louisiana laws should apply to a particular case "having contacts with other states" 33 and, if so, to what extent. 34 The residual nature of the provisions of Book IV is established by the 35 introductory phrase of this Article "[u]nless otherwise expressly provided by the law 36 of this state." This phrase means that the provisions of Book IV are not intended to 37 supersede more specific choice-of-law rules contained in other Louisiana statutes, 38 such as the Insurance Code, the Uniform Commercial Code, the Consumer Credit 39 and Consumer Protection statutes, and the Lease of Movables Act. When applicable, 40 those rules, being more specific, prevail over the provisions of Book IV. 41

1	Art. 3536. Real rights in corporeal movables		
2	Real rights in corporeal movables are governed by the law of the state in		
3	which the movable was situated at the time <u>that</u> the right was acquired.		
4	Nevertheless, after the removal of a movable to this state, a real right		
5	acquired while the movable was situated in another state is subject to the law of this		
6	state if: (1) the right is incompatible with the law of this state; σ (2) the holder of		
7	the right knew or should have known of the removal to this state; or (3) justice an		
8	equity so dictate in order to protect third parties persons who, in good faith, have		
9	dealt with the thing after its removal to this state.		
10	Section 2. Civil Code Article 3343 is hereby repealed in its entirety.		
11	Section 3. The Louisiana State Law Institute is hereby directed to print the following		
12	Comment to Civil Code Article 3338:		
13	Art. 3338. Instruments creating real rights in immovables; recordation required to		
14	affect third persons		
15	* * *		
16	Revision Comments - 2025		
17 18 19 20	Although Article 3343, which previously defined the term "third person," has been repealed, no change in the law is intended. Article 3506 now defines the term "third person" as that term is used throughout the Civil Code. The substance of former Article 3343 is now contained in Article 3506.		

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)]

HB 181 Original	2025 Regular Session	Wiley
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Abstract: Provides with respect to definitions of terms in the Civil Code.

Present law (C.C. Art. 14) sets forth conflict of laws principles for multistate cases.

<u>Proposed law</u> (C.C. Art. 3514) redesignates present law to appear in Book IV of the Civil Code.

Proposed law (C.C. Art. 14) provides with respect to the use of gender.

Proposed law (C.C. Art. 15) provides with respect to the use of number.

<u>Present law</u> (C.C. Arts. 159, 234, 811(B), 1805, 1899, 1900, 1978, 1979, 1981, 1985, 2021, 2035, 2321(C)(3), 2442, 2701, 2806(B) and (C), 2838, 2841, 2843, 2844(A) and (C), 3025, and 3536) uses the terms "third party" and "third person".

<u>Proposed law</u> retains <u>present law</u>, uses consistent terminology, and makes other technical changes.

<u>Present law</u> (C.C. Arts. 2315.1(E) and 2315.2(E)) provides with respect to the survival and wrongful death actions and sets forth exceptions in cases of abandonment.

<u>Proposed law</u> adds a presumption of abandonment when a parent has left the child for at least twelve months and fails to provide for the child.

Present law (C.C. Art. 3343) provides for a definition of "third person".

<u>Proposed law</u> repeals <u>present law</u> as duplicative and adds a Comment to Article 3338 concerning this repeal.

Present law (C.C. Art. 3506) sets forth definitions of terms in the Civil Code.

<u>Proposed law</u> updates the definitions of "assignment", "successor", and "third person"; adds a definition of "juridical act"; eliminates the definitions of "children" and "family"; and relocates the concepts of gender, number, and abandonment.

(Amends C.C. Arts. 14, 159, 234, 811(B), 1805, 1899, 1900, the heading of Chapter 7 of Title IV of Book III and C.C. Arts. 1978, 1979, 1981, 1985, 2021, 2035, 2315.1(E), 2315.2(E), 2321(C)(3), 2442, 2701, 2806(B) and (C), 2838, 2841, 2843, 2844(A) and (C), 3025, 3506, and 3536; Adds C.C. Arts. 15 and 3514; Repeals C.C. Art. 3343)