

Regular Session, 2013

SENATE BILL NO. 183

BY SENATOR CORTEZ

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

PRIVILEGES/LIENS. Provides relative to liens. (8/1/13)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

AN ACT

To amend and reenact R.S. 9:4802(G)(1), relative to liens and privileges; to provide relative to improvement of an immovable by a contractor; to provide with respect to notice requirements of the lessor of the movables placed at the site of the immovable for use in a work; to provide with respect to privileges securing the improvement; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:4802(G)(1) is hereby amended and reenacted to read as follows:

§4802. Improvement of immovable by contractor; claims against the owner and contractor; privileges securing the improvement

* * *

G.(1) For the privilege under this Section or R.S. 9:4801(4) to arise, the lessor of the movables shall deliver a copy of the lease **notice** to the owner and to the contractor not more than ten days after the movables are first placed at the site of the immovable for use in a work. **The notice shall contain the name and mailing address of the lessor and lessee, a description sufficient to identify the movable property placed at the site of the immovable for use in a work, state the term of**

1 rental and terms of payment and shall be signed by the lessor and lessee.

2 * * *

The original instrument was prepared by Angela Lockett De Jean. The following digest, which does not constitute a part of the legislative instrument, was prepared by Julie J. Baxter.

DIGEST

Cortez (SB 183)

Present law provides that for the privilege under present law to arise, the lessor of the movables shall deliver a copy of the lease to the owner and to the contractor not more than 10 days after the movables are first placed at the site of the immovable for use in a work.

Proposed law provides that for the privilege under present law to arise, the lessor of the movables shall deliver notice to the owner and to the contractor not more than 10 days after the movables are first placed at the site of the immovable for use in a work.

Proposed law provides the notice shall contain the name and mailing address of the lessor and lessee, a description sufficient to identify the movable property placed at the site of the immovable for use in a work, state the term of rental and terms of payment and shall be signed by the lessor and lessee.

Effective August 1, 2013.

(Amends R.S. 9:4802(G)(1))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Removed the proposed change from ten to thirty days that would have been in the maximum number of days to deliver notice after the movables are first placed at the site of the immovable. Kept the current law ten day period.