

Existing law requires the seller of property to disclose known features about the property for sale. New law includes among those disclosures, a statement as to whether or not the seller is aware of a cavity created within salt stock by dissolution with water lies under the property or whether the property is within 2,640 feet of a solution mining injection well.

New law further requires the owner or operator of a solution mined cavern to provide notification of the location of such cavern in the mortgage and conveyance records of the parish where the property is located. If the owner or operator fails to provide such notification, the commissioner may cause such notice to be recorded. Requires the clerk of court to forward to the office of conservation a copy of each notice recorded.

New law provides that failure of an owner to file, or to ensure that the operator files, the required notice may constitute grounds for an action of redhibition unless the purchaser has actual or constructive knowledge that the property overlays or is in proximity to a solution mined cavern. Provides a period of prescription of one year from the date of knowledge of the fact that gives rise to an action and three years after the purchase of the property, the purchaser shall have no right of action. Provides venue for any action to be in the parish in which the property is located.

Effective August 1, 2013.

(Adds R.S. 9:3198(A)(2)(c) and R.S. 30:23.1)