
HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 478 by Representative Miller

1 AMENDMENT NO. 1

2 On page 1, line 9, after "validity" and before "of taking;" insert "or extent"

3 AMENDMENT NO. 2

4 On page 1, line 11, after "validity" and before "of the taking" insert "or extent"

5 AMENDMENT NO. 3

6 On page 1, line 17, after "motion" and before "or" delete "within the time provided" and
7 insert "to dismiss"

8 AMENDMENT NO. 4

9 On page 1, line 18, after "plaintiff" and before "constitutes" insert "within ten days from the
10 date the notice was served on him"

11 AMENDMENT NO. 5

12 On page 2, line 1, after "C." and before "A judgment" insert the following:

13 "In the event a defendant files a timely motion to dismiss challenging the validity or
14 extent of the taking, the court shall set the matter for hearing within thirty days after
15 the filing of the motion to dismiss and shall render a decision within five days after
16 the case is submitted."

17 AMENDMENT NO. 6

18 On page 2, line 2, change "Section" to "Part"

19 AMENDMENT NO. 7

20 On page 2, line 2, after "judgment" and before "for the" insert "by the court"

21 AMENDMENT NO. 8

22 On page 2, delete line 10 and insert "notice required by R.S. 19:146;"

23 AMENDMENT NO. 9

24 On page 2, line 16, change "notice." to "notice required by R.S. 19:146."

25 AMENDMENT NO. 10

26 On page 3, at the end of line 1, insert a comma and insert "by certified mail."

27 AMENDMENT NO. 11

28 On page 3, line 10, after "shall" delete the remainder of the line and on line 11, delete "trial
29 at the same time he files an answer." and insert the following:

1 "include a demand for trial by jury in his answer or separate pleading. The answer
2 or separate pleading demanding a trial by jury shall be filed not later than the time
3 period which the defendant has to file his answer pursuant to this Section."

4 AMENDMENT NO. 12

5 On page 3, line 14, change "suit." to "suit on compensation."

6 AMENDMENT NO. 13

7 On page 3, between lines 19 and 20, insert the following:

8 "A. No party to an expropriation proceeding filed pursuant to this Part shall
9 be entitled to or granted a suspensive appeal from any order, judgment, or decree
10 rendered in such proceeding, whether such order, judgment, or decree is on the
11 merits, exceptions, or special pleas and defenses, or compensation, or any or all of
12 them."

13 AMENDMENT NO. 14

14 On page 3, at the beginning of line 20, change "A. The" to "B. Any"

15 AMENDMENT NO. 15

16 On page 3, line 20, after "taking" and before "shall" insert "pursuant to R.S. 19:147,"

17 AMENDMENT NO. 16

18 On page 3, delete line 21 in its entirety and insert "subject to a devolutive appeal,"

19 AMENDMENT NO. 17

20 On page 3, at the beginning of line 24, change "B." to "C."

21 AMENDMENT NO. 18

22 On page 3, line 24, after "appeal of" and before "on an" change "such judgment" to "a
23 judgment rendered pursuant to R.S. 19:147,"

24 AMENDMENT NO. 19

25 On page 3, at the beginning of line 26, change "C." to "D."