AMENDMENT NO. 1

Delete House Committee Amendment No. 5 by the House Committee on Civil Law and Procedure (#2209)

AMENDMENT NO. 2

On page 1, between lines 16 and 17 insert the following:

"Section 2. R.S. 20:34 is hereby enacted to read as follows:

§34. Payments, grants, and loans made by the United States, any state, or any federal or state agency resulting from the occurrence of an extraordinary emergency event

A. It is the public policy of the state of Louisiana that all payments, grants, or loans made by the United States, any state, or any federal or state agency as a result of a national or statewide extraordinary emergency event shall be used by the payee, grantee, or borrower for the purposes intended by the governmental authority which pays, grants, or lends the funds.

B. An "extraordinary emergency event" as used in this Section, means a presidentially or gubernatorially declared natural disaster, state of emergency, or public health emergency affecting Louisiana.

C. Any governmental payments, grants, or loans received as a result of an extraordinary emergency event by any natural or juridical person who is a citizen of the United States and domiciled in this state:

(1) After receipt by the person, are exempt from seizure, sale, attachment, or restraint under any writ, mandate, or order, except for the payment of alimony and child support as may be otherwise allowed by law and except to the extent of the balance due on debt secured by a security interest granted in such governmental grants, payments, or loans that the person granted after the extraordinary emergency event.

(2) Prior to the extraordinary emergency event may not be assigned by such person designating such payments, grants, or loans as security for the payment of any debt existing prior to the extraordinary emergency event for which the governmental payment, grant, or loan was made.

D.(1) After receipt by the person, all governmental grant funds, payments, or loan proceeds shall continue to be exempt from seizure and shall retain their exempt status as provided in Paragraph C, provided that the grant funds, payments, or loan proceeds are held separately in an account used exclusively for this purpose and expressly identified as an account opened under this Section.

(2) The person asserting the exemption created by this Section bears the burden of preventing or limiting a financial institution's compliance with or response to a seizure, sale, attachment, garnishment, or restraint subject to this Section by seeking an appropriate remedy, including a restraining order.

CODING: Words in struck through type are deletions from existing law; words underscored are additions.
injunction, protective order, or other remedy, to prevent or suspend the
financial institution's response to a claim against the person.

E. The provisions of this Section are subject to and shall not supercede
laws, regulations, rules, government-issued guidance or interpretations, or other
specific provisions, governing a particular payment, grant, or loan program and
pursuant to which the natural or juridical person received funds.”