

2017 Regular Session

HOUSE BILL NO. 75

BY REPRESENTATIVE MIGUEZ

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

VITAL STATS/DEATH CERT: Provides with respect to copies of death certificates

1 AN ACT

2 To amend and reenact R.S. 40:41(C)(2), relative to vital records; to authorize attorneys to
3 obtain a death certificate for succession purposes under certain circumstances; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:41(C)(2) is hereby amended and reenacted to read as follows:

7 §41. Disclosure of records

8 * * *

9 C.

10 * * *

11 (2)(a) The credentials of an attorney, together with a written declaration of
12 the record in which he is interested and a written declaration or oral statement that
13 he is a legal representative of one of the named parties referenced in Paragraph
14 (~~C~~)(1) of this Subsection shall constitute sufficient proof of a direct interest in the
15 matter recorded.

16 (b) In addition to the provisions of Subparagraph (a) of this Paragraph, a
17 written declaration by the attorney that he is preparing a small succession pursuant
18 to Code of Civil Procedure Article 3431 et seq. for the deceased person whose death
19 certificate is being requested shall constitute sufficient proof of a direct interest in
20 the matter recorded.

21 * * *

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 75 Original

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Miguez

Abstract: Adds authority of an attorney to obtain a death certificate of a deceased person on whose behalf the attorney is preparing a small succession.

Present law provides that the credentials of an attorney, a written declaration of the record in which he is interested, and a written declaration or oral statement that he is a legal representative of one of the named parties approved to obtain a death certificate, shall constitute sufficient proof of a direct interest in the matter recorded.

Proposed law retains present law and authorizes an attorney to obtain a death certificate of a deceased person on whose behalf the attorney is preparing a small succession.

(Amends R.S. 40:41(C)(2))