

2017 Regular Session

HOUSE BILL NO. 129

BY REPRESENTATIVE DAVIS

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

SUCCESSIONS: Provides relative to small successions

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 3421, relative to successions; to  
3 provide for the definition of a small succession; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. Code of Civil Procedure Article 3421 is hereby amended and reenacted  
6 to read as follows:

7 Art. 3421. Small successions defined

8 A small succession, within the meaning of this Title, is the succession or the  
9 ancillary succession of a person who at any time has died ~~leaving~~ and the decedent's  
10 property in Louisiana ~~having~~ has a gross value of ~~seventy-five~~ one hundred fifty  
11 thousand dollars or less valued as of the date of death or, if the date of death occurred  
12 at least ~~twenty-five~~ twenty years prior to the date of filing of a small succession  
13 affidavit as authorized in this Title, leaving property in Louisiana of any value.

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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)]

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HB 129 Original 2017 Regular Session Davis

**Abstract:** Modifies the definition of a small succession.

Present law provides that a decedent's property must have a gross value of \$75,000 or less to qualify as a small succession.

Proposed law increases the gross value of a decedent's property from \$75,000 to \$150,000 to qualify as a small succession.

Present law also defines a small succession as a succession involving property of any value if the filing of the small succession affidavit occurs at least 25 years after the date of the decedent's death.

Proposed law changes present law to define a small succession as property of any value if the filing of the small succession affidavit occurs at least 20 years after the date of the decedent's death.

(Amends C.C.P. Art. 3421)