

Regular Session, 2010

HOUSE BILL NO. 24

BY REPRESENTATIVE ABRAMSON

PROPERTY/IMMOVABLE: Provides relative to the partition of property

1 AN ACT

2 To amend and reenact R.S. 9:1702, relative to immovable property; to provide for the
3 partition of certain property; to provide an exception allowing agreements not to
4 partition electric generating plants or units for a certain period of time; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 9:1702 is hereby amended and reenacted to read as follows:

8 §1702. Agreement not to partition by persons holding property in common

9 Persons holding property in common may agree that there shall not be a
10 partition of the property held in common for a specific period of time, not to exceed
11 fifteen years. However, persons holding in common ~~a nuclear~~ an electric generating
12 plant or unit, or the site of such plant or unit, located in this state may agree that such
13 plant or unit or site shall not be partitioned for a period of time not to exceed
14 ninety-nine years. Any agreement under the provisions of this Section shall be in
15 writing and shall be valid irrespective of the provisions of Civil Code Article 807.

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)]

Abramson

HB No. 24

Abstract: Authorizes persons to agree not to partition an electric generating plant or unit.

Present law provides that persons who hold in common a nuclear electric generating unit may agree that the unit shall not be partitioned for a period of time not to exceed 99 years.

Proposed law deletes the word "nuclear" so that persons who hold in common an electric generating unit may agree not to partition for 99 years.

(Amends R.S. 9:1702)