
The original instrument was prepared by Alan Miller. The following digest, which does not constitute a part of the legislative instrument, was prepared by McHenry Lee.

DIGEST

Walsworth (SB 168)

Proposed law defines "force majeure" as any of the following circumstances:

1. A major storm, major flood, or other similar natural disaster;
2. A major accident beyond the cemetery authority's control and not ultimately found to be the fault of the cemetery authority;
3. The delay by the federal government or any of its agencies, or the state of Louisiana or any of its agencies or political subdivisions in granting necessary permits; or
4. A valid order of any federal or state court of competent jurisdiction that prevents the timely completion of a project.

Present law requires a cemetery authority to commence construction of a mausoleum or similar structure within 48 months after the first date of sale of a section of the new cemetery structure, with an extension of one additional year for reasonable cause.

Proposed law allows for further extensions to be granted based on the occurrence of a force majeure event.

Present law requires a cemetery authority to commence the installation of necessary improvements to undeveloped land within 24 months after the first date of sale in the new section, with extensions not to exceed one year.

Proposed law allows for further extensions to be granted based on the occurrence of a force majeure event.

Effective August 15, 2010.

(Amends R.S. 8:606(B) and (C), and 706; adds R.S. 8:1(22.1) and 606 (D))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill.

1. Legislative Bureau technical amendments.