
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry G. Jones.

DIGEST

Present law in Code of Civil Procedure relative to small successions defines "small succession" as the succession or the ancillary succession of a person who has died at any time, leaving property in Louisiana having a gross value of \$75K or less valued as of the date of death.

Proposed law defines "small succession" as the succession or the ancillary succession of a person who at any time has died leaving property in Louisiana having a gross value of \$75K or less valued as of the date of death or, if the date of death occurred at least twenty-five years prior to the date of filing of a small succession affidavit, leaving property in Louisiana of any value.

Present law provides circumstances under which it is not necessary to open judicially the small succession of a person domiciled in Louisiana who died intestate, or domiciled outside of Louisiana whose testament has been probated by court order of another state. Proposed law includes persons domiciled outside of Louisiana who died intestate.

Present law provides certain procedures, management and effects for immovable property, subject to a small succession proceeding, that is damaged by a disaster or catastrophe for which a declaration of emergency or federal declaration of disaster or emergency was issued. Also provides that such present law shall expire on Jan. 1, 2013. Proposed law repeals termination date.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends C.C.P. Arts. 3421 and 3431(A)(intro. para.); repeals C.C.P. Art. 3422.1(G))