

2017 Regular Session

SENATE BILL NO. 9

BY SENATOR ALLAIN

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

SERVITUDES. Provides relative to servitudes of natural drainage. (gov sig)

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AN ACT

To amend and reenact Civil Code Arts. 655 and 656, relative to servitudes; to provide relative to natural servitudes; to provide relative to natural drainage, obligations of owners, and dominant and servient estates; to provide certain terms and effects; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Civil Code Arts. 655 and 656 are hereby amended and reenacted to read as follows:

Art. 655. Natural Drainage

An estate situated below **is the servient estate and** is bound to receive the surface waters that flow naturally from ~~an~~ **a dominant** estate situated above unless an act of man has created the flow.

Art. 656. Obligations of the owners

The owner of the servient estate **situated below** may not do anything to prevent the flow of the water. The owner of the dominant estate **situated above** may not do anything to render the servitude more burdensome.

Section 2. This Act shall become effective upon signature by the governor or, if not

