
DIGEST

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HB 295 Original

2021 Regular Session

Seabaugh

Abstract: Redefines small succession and alters the affidavit requirements of a small succession.

Present law (C.C.P. Art. 3421) defines small successions as a person who at any time has died and the decedent's property has a gross value of \$125,000 or less.

Present law (C.C.P. Art. 3421) provides that a small succession shall also include a succession of a person who has died testate, provided they leave no immovable property and probate of the testament would have had the same effect as if the deceased died intestate.

Proposed law (C.C.P. Art. 3421(B)) retains present law but removes the prohibition of immovable property for deceased individuals who died testate and whose probated testament had the same effect as if the deceased died intestate.

Present law (C.C.P. Art. 3434) provides for a certified copy of the deceased's death certificate be attached to a small succession affidavit.

Proposed law (C.C.P. Art. 3434(C)(1)) removes the present law requirement to attached the deceased's death certificate.

(Amends C.C.P. Arts. 3421(B) and 3434(C)(1))