

2024 Regular Session

HOUSE BILL NO. 101

BY REPRESENTATIVE FARNUM

CIVIL/OBLIGATIONS: Provides relative to the Private Works Act

1 AN ACT

2 To amend and reenact R.S. 9:4802(C), relative to the Private Works Act; to provide for
3 cases in which a homeowner is relieved of claims; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 9:4802(C) is hereby amended and reenacted to read as follows:

6 §4802. Improvement of immovable by contractor; claims against the owner and
7 contractor; privileges securing the improvement

8 * * *

9 C. The owner is relieved of the claims against him under this Section and the
10 privileges securing them when the claims arise from the performance of a contract
11 by a general contractor ~~for whom a~~ and either of the following occur:

12 (1) A bond is given and maintained as required by R.S. 9:4812 and when
13 notice of the contract with the bond attached is properly and timely filed as required
14 by R.S. 9:4811.

15 (2) The general contractor has been paid in full.

16 * * *

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)]

HB 101 Original

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Farnum

Abstract: Provides an exception to the Private Works Act to relieve the homeowner from claims against him.

Present law provides that a homeowner is relieved of claims under the Private Works Act and the privileges securing them when the claims arise from the performance of a contract by a general contractor for whom bond is given and maintained and when notice of contract with the bond attached is properly and timely filed.

Proposed law expands present law to provide that the homeowner is also relieved of the claims against him under the provisions of present law when the general contractor has been paid in full.

(Amends R.S. 9:4802(C))