

2024 Regular Session

SENATE BILL NO. 131

BY SENATOR MILLER

PRIVILEGES/LIENS. Provides for privileges on immovables. (8/1/24)

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AN ACT

To amend and reenact R.S. 9:4812(D), relative to privileges on immovables; to provide relative to claims against owners and contractors; to provide relative to the furnishing and maintenance of bonds; to provide relative to the liability of sureties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:4812(D) is hereby amended and reenacted to read as follows:

§4812. Bond required; terms and conditions

\* \* \*

D. The bond of a legal surety attached to and filed with the notice of contract of a general contractor shall be deemed to conform to the requirements of this part notwithstanding any provision of the bond to the contrary, but the surety shall not be bound for a sum in excess of the total amount expressed in the bond. **Nothing in this Part shall be construed to preclude a surety who has furnished such a bond from asserting any defense to the principal obligation that its principal could assert except lack of capacity or discharge in bankruptcy of the principal obligor.**

