

2026 Regular Session

HOUSE BILL NO. 630

BY REPRESENTATIVE MUSCARELLO

PROPERTY: Provides relative to the transfer of rights to a thing

1 AN ACT

2 To amend and reenact Civil Code Article 2502, relative to the transfer of rights to a thing;
3 to provide for rights of a transferee and transferor; to make technical changes; to
4 provide for effectiveness; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Civil Code Article 2502 is hereby amended and reenacted to read as
7 follows:

8 Art. 2502. Transfer of rights to a thing

9 A. A person may transfer to another ~~whatever~~ all the rights to a thing ~~he may~~
10 ~~then have~~, without warranting the existence of any ~~such~~ rights to a thing. ~~In such a~~
11 ~~case the~~ The transferor ~~does~~ shall not owe restitution of the price to the transferee in
12 case of eviction; ~~nor may that~~ and the transfer shall not be rescinded for lesion.

13 B. ~~Such a~~ The transfer does not ~~give rise to~~ establish a presumption of bad
14 faith ~~on the part of~~ by the transferee and is a just title for the purposes of acquisitive
15 prescription.

16 C. If the transferor acquires ownership of the thing after having transferred
17 his rights to it, the after-acquired title of the transferor does not inure to the benefit
18 of the transferee.

19 D. Instruments that are without effect as to third persons pursuant to Article
20 3338 are without effect to the transferee of rights to a thing.

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 630 Original

2026 Regular Session

Muscarello

Abstract: Provides relative to the transfer of rights to a thing.

Present law authorizes a person to transfer to another rights to a thing without warranting the existence of any rights to a thing. Also provides that a transferor does not owe restitution of the price to the transferee in case of eviction and the transfer shall not be rescinded for lesion.

Proposed law retains present law and makes technical changes.

Present law provides that a transfer does not constitute bad faith by the transferee and is a just title for the purposes of acquisitive prescription.

Proposed law retains present law and makes technical changes.

Present law provides that if the transferor acquires ownership of the thing after having transferred his rights to it, the after-acquired title of the transferor does not inure to the benefit of the transferee.

Proposed law retains present law and makes technical changes.

Proposed law provides that instruments that are without effect as to third persons under present law (C.C. Art. 3338) are without effect to the transferee of rights to a thing.

(Amends C.C. Art. 2502)