

2016 Regular Session

HOUSE BILL NO. 447

BY REPRESENTATIVE GREGORY MILLER

AN ACT

To amend and reenact Civil Code Article 355, relative to continuing tutorships; to provide for procedures for continuing tutorships; to provide relative to certain costs; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Civil Code Article 355 is hereby amended and reenacted to read as follows:

Art. 355. Petition for continuing or permanent tutorship

When a person above the age of fifteen possesses less than two-thirds of the ~~average mental ability~~ intellectual functioning of a ~~normal~~ person of the same age with average intellectual functioning, evidenced by standard testing procedures administered by competent persons or other relevant evidence acceptable to the court, the parents of such person, or the person entitled to custody or tutorship if one or both parents ~~be~~ are dead, incapacitated, or an absent person, or if the parents ~~be~~ are judicially separated or divorced, may, with the concurrence of the coroner of the parish of the ~~mentally deficient~~ intellectually disabled person's domicile, petition the court of that district to place such person under a continuing tutorship which shall not automatically end at any age but shall continue until revoked by the court of

1 domicile. The petitioner shall not bear the coroner's costs or fees associated with
2 securing the coroner's concurrence.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____