

2016 Regular Session

HOUSE BILL NO. 447

BY REPRESENTATIVE GREGORY MILLER

ACT No. 115

1

AN ACT

2

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

5

Be it enacted by the Legislature of Louisiana:

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

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Art. 355. Petition for continuing or permanent tutorship

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When a person above the age of fifteen possesses less than two-thirds of the
10 ~~average mental ability~~ intellectual functioning of a ~~normal~~ person of the same age
11 with average intellectual functioning, evidenced by standard testing procedures
12 administered by competent persons or other relevant evidence acceptable to the
13 court, the parents of such person, or the person entitled to custody or tutorship if one
14 or both parents ~~be~~ are dead, incapacitated, or an absent person, or if the parents ~~be~~
15 are judicially separated or divorced, may, with the concurrence of the coroner of the
16 parish of the ~~mentally deficient~~ intellectually disabled person's domicile, petition the
17 court of that district to place such person under a continuing tutorship which shall
18 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: _____