

RÉSUMÉ DIGEST

ACT 115 (HB 447)

2016 Regular Session

Gregory Miller

Existing law requires the use of standard testing procedures administered by competent persons to establish that a person above the age of 15 possesses less than 2/3 of the average mental ability of a person of the same age.

New law expands existing law to allow the court to consider other relevant evidence in addition to standard testing procedures and updates archaic language.

Existing law requires that in order to continue the tutorship of a person above the age of 15, there must be concurrence of the coroner of the parish of the mentally deficient person's domicile.

New law maintains the requirement of concurrence of the coroner to continue the tutorship of a person above the age of 15, and clarifies that the petitioner shall not bear the coroner's costs or fees associated with securing the coroner's concurrence. Further updates language relative to a person with an intellectual disability.

Effective August 1, 2016.

(Amends C.C. Art. 355)