HLS 17RS-965 ORIGINAL

2017 Regular Session

HOUSE BILL NO. 328

1

BY REPRESENTATIVE COUSSAN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PROPERTY/IMMOVABLE: Provides relative to extinction of rights relating to immovable property

AN ACT

2 To amend and reenact R.S. 9:5176(D), relative to the extinction of rights; to provide for 3 acknowledgment of the extinction of rights; to provide with regard to attorney fees 4 and costs in actions related to extinction of rights; and to provide for related matters. 5 Be it enacted by the Legislature of Louisiana: Section 1. R.S. 9:5176(D) is hereby amended and reenacted to read as follows: 6 7 §5176. Extinction of certain rights; acknowledgment by owner or holder 8 9 D. The prevailing party in an action pursuant to this Section may be awarded 10 reasonable attorney fees in addition to the costs of the action from the person who 11 demanded or refused delivery of the written acknowledgment. 12

## **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 328 Original

2017 Regular Session

Coussan

**Abstract:** Removes the provision specifying that certain persons must pay for attorney fees and costs in actions related to acknowledgment of extinction rights.

<u>Present law</u> allows for the recovery of attorney fees and costs in an action regarding the acknowledgment of extinction of rights involving immovable property from the person who demanded or refused delivery of the acknowledgment.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

<u>Proposed law</u> removes the <u>present law</u> provision specifying who must pay for the attorney fees and costs.

(Amends R.S. 9:5176(D))