The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Hanna Gettys.

DIGEST

SB 35 Engrossed 2024 Regular Session Morris

Present law provides that when a litigious right is assigned, the debtor may extinguish his obligation by paying to the assignee the price the assignee paid for the assignment, with interest from the time of the assignment.

Present law provides that a right is litigious, for that purpose, when it is contested in a suit already filed.

Present law provides that the debtor may not thus extinguish his obligation when the assignment has been made to a co-owner of the assigned right, or to a possessor of the thing subject to the litigious right.

Proposed law retains present law but includes extinguishing an obligation when the assignment is of a promissory note.

Effective August 1, 2024.

(Amends C.C. Art. 2652)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Removes or other debt instrument from the provisions of proposed law.