Regular Session, 2011

HOUSE BILL NO. 350

BY REPRESENTATIVE LOPINTO

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

CREDIT/CONSUMER: Provides relative to the applicability of the La. Consumer Credit Law to residential mortgage loans

AN ACT

To amend and reenact R.S. 6:1097(C), relative to the Louisiana Consumer Credit Law; to require written confirmation of the application of the Louisiana Consumer Credit Law to residential mortgage loans; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 6:1097(C) is hereby amended and reenacted to read as follows:

§1097. Residential mortgage loan fees and charges; applicability of the Louisiana Consumer Credit Law

* * *

C. Consumer loans otherwise subject to the provisions of this Chapter may be made contractually subject to the Louisiana Consumer Credit Law, R.S. 9:3510 et seq., by specifically stating <u>in writing</u> that the loan is subject to the Louisiana Consumer Credit Law, R.S. 9:3510 et seq.

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)]

Lopinto HB No. 350

Abstract: Requires written confirmation of the application of the La. Consumer Credit Law to residential mortgage loans.

Present law provides that consumer loans otherwise subject to the provisions of the law on residential mortgage loans may be made contractually subject to the laws on consumer credit by specifically stating that the loan is subject to the laws on consumer credit in present law.

Proposed law retains present law but specifies that the specific statement must be in writing.

(Amends R.S. 6:1097(C))