
DIGEST

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Abramson

HB No. 470

Abstract: Authorizes a notary to execute an act of correction of a clerical error when the notary who executed the original act is deceased or incapacitated or whose whereabouts are unknown.

Present law provides that a clerical error in a notarial act affecting movable or immovable property or any other rights, corporeal or incorporeal, may be corrected by an act of correction executed by the notary or one of the notaries before whom the act was passed, or by the notary who actually prepared the act containing the error.

Proposed law provides that an act of correction may also be executed by a La. notary who has possession of the records of the notary who executed the original act if that person is deceased, incapacitated, or his whereabouts are unknown.

Present law requires that the act of correction be executed by the notary before two witnesses and another notary public.

Proposed law requires that the act or correction be executed before two witnesses and a notary public.

(Amends R.S. 35:2.1(A))