
DIGEST

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Abramson

HB No. 941

Abstract: Gives priority to a privilege filed within four days of an affidavit regardless of whether work has begun or materials have been delivered to the work site after the effective date and time of the affidavit but before the filing of the document creating the right.

Present law provides that a person acquiring a mortgage, privilege, or other right may rely on the affidavit of certain persons involved in the modification of an immovable that states at a specified time work had not been commenced nor materials placed at the site, provided the affidavit is filed within four days after execution of the affidavit with the document creating the right filed within four business days of the filing of the affidavit.

Proposed law retains present law and provides that priority be given to a privilege acquired through reliance on an affidavit executed by certain persons involved in the modification of an immovable if the document creating the right is filed before or within four days of the effective date of the affidavit.

(Amends R.S. 9:4821; Adds R.S. 9:4820(D))