

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 455 by Representative Abramson

DIVORCE: Provides with respect to responsibilities and obligations of certain banks when served with an injunctive or temporary restraining order in domestic matters

Synopsis of Senate Amendments

1. Legislative Bureau amendments only.

Digest of Bill as Finally Passed by Senate

Present law provides for service of citation or other legal process on a bank to be made by personal service on a registered agent.

Present law provides relative to injunctions prohibiting a spouse from disposing of property during divorce proceedings.

Proposed law retains present law and provides that a bank shall only be required to comply with injunctions that are served personally on a registered agent of the bank. Further provides for application only on accounts, safe deposit boxes, or other assets in the name of the one or both of the spouses or any other specifically listed in the injunction. Provides for limited liability of the bank for compliance with an injunction.

Present law provides for the issuance of temporary restraining orders and preliminary injunctions.

Proposed law retains present law and provides that a bank shall only be required to comply with temporary restraining orders and preliminary injunctions that are served personally on a registered agent of the bank. Further provides for application only on accounts, safe deposit boxes, or other assets in the name of one or both of the spouses or any other specifically listed in the injunction. Provides for limited liability of the bank for compliance with a temporary restraining order or preliminary injunction.

(Amends R.S. 9:371 and C.C.P. Art. 3604(B)(intro. para.) and (3); Adds C.C.P. Art. 3604(D) and (E))