

Regular Session, 2012

ACT No. 400

HOUSE BILL NO. 535

BY REPRESENTATIVE JAY MORRIS

1 AN ACT

2 To amend and reenact R.S. 9:4422(introductory paragraph) and (3), relative to obligations
3 secured by mortgages or privileges; to provide with respect to promissory notes; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 9:4422(introductory paragraph) and (3) are hereby amended and
7 reenacted to read as follows:

8 §4422. Obligations secured by mortgages or privileges; signatures and writings
9 deemed authentic for purposes of foreclosure

10 The following shall apply when foreclosure by executory process is instituted
11 by the transferee, assignee, or pledgee of any promissory note, whether negotiable
12 or not, and any negotiable instrument, or instrument that would be negotiable but for
13 ~~a limitation of personal liability of the maker or any comaker secured by a mortgage~~
14 ~~or privilege:~~

15 * * *

16 (3) The holder of any promissory note, whether negotiable or not, and any
17 negotiable instrument or instrument that would be negotiable but for a limitation of
18 ~~personal liability to the maker or any comaker~~ under this Section may enforce the

1 mortgage or privilege securing such instrument without authentic evidence of the
2 signatures, assignment, pledge, negotiation, or transfer thereof.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____