

2016 Regular Session

HOUSE BILL NO. 779

BY REPRESENTATIVE ABRAMSON

CIVIL/LAW: Provides relative to the domicile of certain juridical persons

1 AN ACT

2 To amend and reenact Civil Code Article 3548, relative to persons; to provide for the
3 domicile of certain juridical persons; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. Civil Code Article 3548 is hereby amended and reenacted to read as
6 follows:

7 Art. 3548. Domicile of juridical persons

8 ~~For the purposes of this Title, and provided it is appropriate under the~~
9 ~~principles of Article 3542, Notwithstanding Articles 3518 and 3542, a juridical~~
10 person that is domiciled outside this state, but which transacts business in this state
11 and incurs a delictual or quasi-delictual obligation arising from activity within this
12 state, shall be treated as a domiciliary of this state.

DIGEST

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HB 779 Original

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Abramson

Abstract: Provides relative to the domicile of certain juridical persons.

Present law (C.C. Art. 3542) provides that as a general rule, issues of torts are governed by the law of the state whose policies would be most seriously impaired if its laws were not applied to that issue.

Present law (C.C. Art. 3518) provides that a juridical person may be treated as a domiciliary of either its state of formation or the state which is its principal place of business.

Present law provides that a juridical person domiciled outside of Louisiana who transacts business in Louisiana, and incurs a delictual or quasi-delictual obligation (tort) arising from activity in Louisiana, shall be treated as a domiciliary of Louisiana provided that the principles of present law (C.C. Art. 3542) are considered.

Proposed law removes the requirement that present law must be considered and further provides that despite present law, a juridical person domiciled outside of Louisiana which transacts business in Louisiana and incurs a delictual or quasi-delictual obligation arising from activity within Louisiana, shall be treated as domiciled in Louisiana.

(Amends C.C. Art. 3548)