
HOUSE COMMITTEE AMENDMENTS

2020 Regular Session

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 593 by Representative Seabaugh

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" and before "securing" delete "R.S. 13:4291, relative to the
3 legal mortgage" and insert "R.S. 13:4291(A) and (B), relative to judicial and legal
4 mortgages"

5 AMENDMENT NO. 2

6 On page 1, line 7, after "Section 1." and before "hereby" delete "R.S. 13:4291 is" and insert
7 "R.S. 13:4291(A) and (B) are"

8 AMENDMENT NO. 3

9 On page 1, line 8, after "payments;" and before "mortgage" delete "legal" and insert
10 "judicial"

11 AMENDMENT NO. 4

12 On page 1, at the beginning of line 10, change "A." to "A.(1)"

13 AMENDMENT NO. 5

14 On page 1, line 15, after "owed." delete the remainder of the line and delete lines 16 through
15 19 in their entirety and at the beginning of line 20, delete "by law."

16 AMENDMENT NO. 6

17 On page 2, at the end of line 2, insert the following:

18 "Notwithstanding any other law to the contrary, prescription shall not begin to run
19 against any such judgment until the child reaches the age of majority or the
20 obligation to provide child support ceases.

21 (2) A judgment rendered in a summary proceeding determining the amount
22 of delinquent child support owed shall become a judicial mortgage when it is final
23 and has been recorded in the manner provided by law. The effect of recordation of
24 the judgment provided in this Subsection shall prescribe ten years from the date of
25 the judgment, unless revived and reinscribed in accordance with law."

26 AMENDMENT NO. 7

27 On page 2, line 12, after "of DCFS." delete the remainder of the line and delete lines 13
28 through 17 in their entirety and insert the following:

29 "Such affidavit shall have the effect of a judgment, ~~and when filed and recorded in~~
30 ~~the manner provided by law shall create a legal mortgage and privilege as provided~~
31 ~~in R.S. 46:236.16. Notwithstanding any other law to the contrary, prescription shall~~
32 ~~not begin to run against any such judgment until the child reaches the age of majority~~
33 ~~or the obligation to provide child support ceases.~~

34 (2) When filed and recorded in the manner provided by law, the affidavit
35 showing delinquent child support shall create a lien, privilege, and legal mortgage
36 as provided in R.S. 46:236.16. The effect of recordation of the affidavit provided in

1 this Subsection shall prescribe ten years from the date of the affidavit, provided that
2 the filing of a subsequent affidavit pertaining to the same matter shall interrupt
3 prescription and shall maintain the ranking secured by the original filing."

4 AMENDMENT NO. 8

5 On page 2, at the beginning of line 21, delete "(2)" and insert "(3)"

6 AMENDMENT NO. 9

7 On page 2, delete lines 23 through 28 in their entirety and on page 3, delete lines 1 through
8 8 in their entirety and insert the following:

9 " * * *

10 Section 2. This Act is declared to be interpretative, curative, and procedural and
11 therefore is to be applied retroactively as well as prospectively to judgments or
12 affidavits recorded in the manner provided by law.

13 Section 3. This Act shall become effective upon signature by the governor or, if not
14 signed by the governor, upon expiration of the time for bills to become law without
15 signature by the governor, as provided by Article III, Section 18 of the Constitution
16 of Louisiana. If vetoed by the governor and subsequently approved by the
17 legislature, this Act shall become effective on the day following such approval."

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.