

Regular Session, 2010

ACT No. 457

HOUSE BILL NO. 40

BY REPRESENTATIVE FOIL

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AN ACT

To enact R.S. 9:2005(3), relative to trusts; to provide for seizure of trust assets in certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2005(3) is hereby enacted to read as follows:

§2005. Seizure by creditor; special claims

Notwithstanding any stipulation in the trust instrument to the contrary, the proper court, in summary proceedings to which the trustee, the beneficiary, and the beneficiary's creditor shall be parties, may permit seizure of any portion of the beneficiary's interest in trust income and principal in its discretion and as may be just under the circumstances if the claim is based upon a judgment for:

* * *

(3) Damages arising from a felony criminal offense committed by the beneficiary which results in a conviction or a plea of guilty.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____