

Regular Session, 2012

HOUSE BILL NO. 97

BY REPRESENTATIVE PATRICK WILLIAMS

CONTRACTS: Provides relative to the sale of undivided timber interests

1 AN ACT

2 To amend and reenact R.S. 3:4278.2(B), relative to the sale of co-owned timber; to provide
3 for the required consent of the co-owners or co-heirs; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 3:4278.2(B) is hereby amended and reenacted to read as follows:

7 §4278.2. Sale of undivided timber interest; consent of co-owners; theft

8 * * *

9 B. A buyer who purchases the timber from a co-owner or co-heir of land
10 may not remove the timber without the consent of the co-owners or co-heirs
11 representing at least ~~eighty~~ fifty-one percent of the ownership interest in the land,
12 provided that he has made reasonable effort to contact the co-owners or co-heirs who
13 have not consented and, if contacted, has offered to contract with them on
14 substantially the same basis that he has contracted with the other co-owners or
15 co-heirs.

16 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Patrick Williams

HB No. 97

Abstract: Provides for the removal of co-owned timber upon the consent of 51% of the co-owners or co-heirs.

Present law provides that a buyer who purchases the timber from a co-owner or co-heir of land may not remove the timber without the consent of the co-owners or co-heirs representing at least 80% of the ownership interest in the land, provided that he has made reasonable effort to contact the co-owners or co-heirs who have not consented and, if contacted, has offered to contract with them on substantially the same basis that he has contracted with the other co-owners or co-heirs.

Proposed law retains present law but lowers the required consent from 80% to 51% of the co-owners or co-heirs.

(Amends R.S. 3:4278.2(B))