

Regular Session, 2008

HOUSE CONCURRENT RESOLUTION NO. 57

BY REPRESENTATIVE FOIL

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations on the revision, reorganization, and consolidation of the laws on registry with particular emphasis on the laws relative to the cancellation of mortgage and privilege inscriptions.

WHEREAS, Act No. 169 of the 2005 Regular Session revised the laws on registry; and

WHEREAS, Act No. 169 repealed or amended several laws relative to the cancellation of mortgage and privilege inscriptions; and

WHEREAS, present law relative to the cancellation of mortgage and privilege inscriptions is now found under both Titles 9 and 44 of the Louisiana Revised Statutes of 1950; and

WHEREAS, due to the passage of Act No. 169 and other subsequent acts of the legislature, existing law provides similar but separate provisions for filing cancellations of mortgages and privileges, with each provision depending on the type of entity filing the cancellation or the type of instrument being canceled; and

WHEREAS, the inconsistencies which exist in the law are confusing and result in unequal treatment to persons and entities attempting to cancel certain mortgage and privilege inscriptions.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to study and make recommendations on the laws on registry, with particular emphasis on revising, reorganizing, and consolidating the provisions relative to the cancellation of mortgage and privilege inscriptions, and to report its findings and make specific recommendations for legislation to the House of Representatives prior to the convening of the 2009 Regular Session.

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the Louisiana State Law Institute.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE