

Regular Session, 2012
HOUSE BILL NO. 455
BY REPRESENTATIVE ABRAMSON

ACT No. 582

1 AN ACT

2 To amend and reenact R.S. 9:371 and Code of Civil Procedure Article 3604(B)(introductory
3 paragraph) and (3) and to enact Code of Civil Procedure Article 3604(D) and (E),
4 relative to injunctions; to provide for service of injunctions, preliminary injunctions,
5 and temporary restraining orders on federally insured financial institutions; to
6 provide for liability of federally insured financial institutions for compliance with
7 injunctions, preliminary injunctions, and temporary restraining orders; and to provide
8 for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 9:371 is hereby amended and reenacted to read as follows:

11 §371. Injunction against alienation or encumbrance; spouse's right to demand

12 A. In a proceeding for divorce, a spouse may obtain an injunction restraining
13 or prohibiting the disposition or encumbrance of community property until further
14 order of the court.

15 B. To be effective against a federally insured financial institution, an
16 injunction granted under the provisions of this Section shall be served in accordance
17 with the provisions of R.S. 6:285(C). An injunction granted pursuant to the
18 provisions of this Section shall be effective only against accounts, safe deposit boxes,
19 or other assets listed or held in the name of the following:

20 (1) One or both of the spouses named in the injunction.

21 (2) Another party or business entity specifically named in the injunction.

1 E. A federally insured financial institution shall not be liable for loss or
2 damages resulting from its actions to comply with a temporary restraining order or
3 preliminary injunction provided that the requirements of this Article have been met.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____