

ACT No. 45

Regular Session, 2004

HOUSE BILL NO. 401

BY REPRESENTATIVES FLAVIN, ALARIO, ALEXANDER, BAUDOIN, BRUCE, R. CARTER, CROWE, CURTIS, DAMICO, DANIEL, DOVE, DOWNS, DURAND, ERDEY, FAUCHEUX, FRITH, FUTRELL, GALLOT, GEYMANN, HEATON, HILL, HOPKINS, HUTTER, JOHNS, KATZ, LABRUZZO, LAFLEUR, MARTINY, MCVEA, MONTGOMERY, MORRISH, PIERRE, PINAC, M. POWELL, T. POWELL, RITCHIE, SALTER, SHEPHERD, SMILEY, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TRAHAN, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON AND WRIGHT AND SENATORS HAINKEL, HOLLIS, MALONE, NEVERS, SCHEDLER, AND SMITH

AN ACT

1 To amend and reenact R.S. 9:3144(A)(3) and (B)(1), relative to the New Home Warranty
2 Act; to reduce the warranty period for certain major structural defects; to clarify the
3 warranty exclusion for trees; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 9:3144(A)(3) and (B)(1) are hereby amended and reenacted to read
6 as follows:

7 §3144. Warranties; exclusions

8 A. Subject to the exclusions provided in Subsection B of this Section, every
9 builder warrants the following to the owner:

10 * * *

11 (3) ~~Seven~~ Five years following the warranty commencement date, the home
12 will be free from major structural defects due to noncompliance with the building
13 standards or due to other defects in materials or workmanship not regulated by
14 building standards.

15 B. Unless the parties otherwise agree in writing, the builder's warranty shall
16 exclude the following items:

