

2025 Regular Session

SENATE BILL NO. 225

BY SENATOR DUPLESSIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PLANNING/ZONING. Provides for a cause of action for operation of short-term rentals.
(8/1/25)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17

AN ACT

To enact R.S. 9:3258.2, relative to civil actions; to provide relative to short-term rentals; to provide relative to operation of short-term rentals and short-term rental structures; to provide relative to licensing requirements; to provide with respect to violation of local planning and zoning ordinances; to provide for certain definitions; to provide relative to a right and cause of action; to provide relative to certain remedies; to provide relative to nonprofit organizations; to provide relative to written notice and time delays; to provide relative to certain relief; to provide relative to prescription; to provide relative to certain terms, conditions, and procedures; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:3258.2 is hereby enacted to read as follows:

§3258.2. Short-term rentals; cause of action; remedies; prescription

A. For the purposes of this Section:

(1) "Short-term rental" means the rental of all or any portion of a residential dwelling unit for dwelling, lodging, or sleeping purposes to one party, with a duration of occupancy not to exceed twenty-nine consecutive days.

1 "Short-term rental" does not include hotels, motels, bed and breakfasts, and
2 other property uses explicitly defined and regulated by any other provision of
3 law.

4 (2) "Short-term rental structure" means a building which may have
5 previously been used as a one- or two-family dwelling but is rented from the
6 owner of the structure by an unknown number of persons for a period of time
7 not to exceed twenty-nine days.

8 B. No person or entity shall operate a short-term rental or short-term
9 rental structure without an occupational license or in violation of local planning
10 and zoning ordinances.

11 C. Any natural person with a homestead exemption located within three
12 hundred feet of the short-term rental or short-term rental structure, a nonprofit
13 organization representing an affected neighborhood located within one
14 thousand feet of the short-term rental or short-term rental structure, or a
15 nonprofit organization representing a hotel and lodging provider located within
16 one thousand feet of the short-term rental or short-term rental structure where
17 the violation occurs, shall have a cause of action against a person or entity that
18 violates the provisions of this Section for any appropriate relief, including:

19 (a) Injunctive relief, protective order or prohibition, writ of mandamus,
20 or declaratory relief to prevent any violation of this Section.

21 (2) Forfeiture to the plaintiff of revenues earned by the person or entity
22 from the short-term rental or short-term rental structure in violation of this
23 Section.

24 D. Prior to bringing the cause of action provided for in this Section, the
25 plaintiff shall:

26 (1) Demonstrate that the defendant is engaged in commercial activity
27 and that the defendant has committed a zoning infraction.

28 (2) Provide written notice to the defendant and the city of the alleged
29 violations.

1 **(3) Request in writing that the city or applicable local government**
2 **agency enforce the zoning ordinance.**

3 **(4) Allow ninety days from the date of delivery of written notice of the**
4 **violation to the defendant for the defendant to cure the alleged violation and to**
5 **the city for the city to enforce the zoning ordinances.**

6 **E. The cause of action created by this Section is subject to a liberative**
7 **prescription of two years in accordance with Civil Code Article 3493.1.**

8 Section 2. The provisions of this Act shall terminate at midnight on December 31,
9 2028.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 225 Original

2025 Regular Session

Duplessis

Proposed law provides the following definitions in proposed law:

- (1) "Short-term rental" means the rental of all or any portion of a residential dwelling unit for dwelling, lodging, or sleeping purposes to one party, with a duration of occupancy not to exceed 29 consecutive days. "Short-term rental" does not include hotels, motels, bed and breakfasts, and other property uses explicitly defined and regulated by any other provision of present law.
- (2) "Short-term rental structure" means a building which may have previously been used as a one- or two-family dwelling but is rented from the owner of the structure by an unknown number of persons for a period of time not to exceed 29 days.

Proposed law provides that no person or entity shall operate a short-term rental or short-term rental structure without an occupational license or in violation of local planning and zoning ordinances.

Proposed law provides that any natural person with a homestead exemption located within 300 feet of the short-term rental or short-term rental structure, a non profit organization representing an affected neighborhood located within 1,000 feet of the short-term rental or short-term rental structure, or a nonprofit organization representing a hotel and lodging provider located within 1,000 feet of the short-term rental or short-term rental structure where the violation occurs, shall have a cause of action against a person or entity that violates the provisions of proposed law for any appropriate relief, including the following:

- (1) Injunctive relief, protective order or prohibition, writ of mandamus, or declaratory relief to prevent any violation of proposed law.
- (2) Forfeiture to the plaintiff of revenues earned by the person or entity from the short-term rental or short-term rental structure in violation of proposed law.

Proposed law provides that prior to bringing the cause of action provided for in proposed

law, the plaintiff shall:

- (1) Demonstrate that the defendant is engaged in commercial activity and that the defendant has committed a zoning infraction.
- (2) Provide written notice to the defendant and the city of the alleged violations.
- (3) Request in writing that the city or applicable local government agency enforce the zoning ordinance.
- (4) Allow 90 days from the date of delivery of written notice of the violation to the defendant for the defendant to cure the alleged violation and the city for the city to enforce the zoning ordinances.

Proposed law provides that the cause of action created by proposed law is subject to a liberative prescription of two years in accordance with present law (C.C. Art. 3493.1).

Proposed law further provides that proposed law shall terminate at midnight on December 31, 2028.

Effective August 1, 2025.

(Adds R.S. 9:3258.2)