

RÉSUMÉ DIGEST

ACT 255 (HB 234)

2025 Regular Session

Mandie Landry

Existing law (R.S. 14:107.3) provides for the crime of criminal blighting of property.

New law retains existing law.

Prior law (R.S. 14:107.3(A)(1)) defined the term "blighted property" as commercial or residential premises, including lots, which had been declared vacant, uninhabitable, and hazardous by an administrative hearing officer acting pursuant to existing law (R.S. 13:2575 or 2576) or other applicable law.

Prior law further provided that such premises included premises which, because of their physical condition, were considered hazardous to persons or property, had been declared or certified blighted, and had been declared to be a public nuisance by an administrative hearing officer acting pursuant to existing law (R.S. 13:2575 or 2576), or any other applicable law.

New law amends prior law to define "blighted property" as any vacant or occupied immovable property that has been declared or certified as blighted or a public nuisance by a court of competent jurisdiction or by an administrative hearing officer acting pursuant to existing law (R.S. 13:2575 or 2576), or any other applicable law.

Existing law (R.S. 14:107.3(A)(3)) defines the term "public nuisance" as any garage, shed, barn, house, building, or structure that, by reason of the condition in which it is permitted to remain, may endanger the health, life, limb, or property of any person or cause any hurt, harm, damages, injury, or loss to any person under certain conditions.

New law retains existing law and adds an apartment as a structure that may be considered a "public nuisance" when it endangers the health, life, limb, or property of any person, or causes any hurt, harm, damages, injury, or loss to any person under certain conditions.

Existing law (R.S. 14:107.3(B)) provides that criminal blighting of property is the intentional or criminally negligent permitting of the existence of a condition of deterioration of property by the owner, which is deemed to have occurred when the property has been declared or certified as blighted after an administrative hearing, pursuant to existing law (R.S. 13:2575 or 2576).

New law amends existing law to add an alternative element to criminal blighting of property when the property has been declared or certified as a public nuisance. Further clarifies that an administrative hearing officer may render such declaration or certification.

Existing law (R.S. 33:1374) provides for the enforcement of health, safety, and welfare ordinances of Orleans Parish.

New law retains existing law.

Prior law (R.S. 33:1374(B)(1)) defined the term "blighted property" as commercial or residential premises, including lots, which were vacant, uninhabitable, and hazardous and because of their physical condition, were considered hazardous to persons or property, or had been declared or certified blighted, and had been declared to be a public nuisance by a court of competent jurisdiction or by an administrative hearing officer acting pursuant to competent jurisdiction or by an administrative hearing officer acting pursuant to existing law (R.S. 13:2575 et seq.), or any other applicable law.

New law amends prior law to define "blighted property" as any vacant or occupied immovable property that has been declared or certified blighted, and has been declared to be a public nuisance by a court of competent jurisdiction, an administrative hearing officer acting pursuant to competent jurisdiction, or an administrative hearing officer acting pursuant to existing law (R.S. 13:2575 et seq.), or any other applicable law.

Effective August 1, 2025.

(Amends R.S. 14:107.3(A)(1) and (3)(intro. para.) and (B) and R.S. 33:1374(B)(1))