

RÉSUMÉ DIGEST

ACT 575 (HB 990)

2026 Regular Session

Lyons

Existing law provides that the governing authority of a municipality shall have a privilege against a multifamily residential property for the amount of any unpaid service charge or user fee for sewage disposal or water system services the municipality provides. Defines "multifamily residential property" to mean immovable property consisting of more than four dwelling units occupied by persons other than the owner of the immovable property.

New law additionally grants a privilege for such unpaid service charges or user fees to parishes, sewerage districts, and waterworks districts.

Existing law provides that when an owner of a multifamily residential property with a master meter service agreement fails to pay the service charge or user fee for the sewage disposal or water system services, a municipal governing authority seeking to collect the past due amounts owed shall make written demand by any of the following:

- (1) U.S. mail postage paid, or commercial courier as defined in existing law (C.C.P. Art. 1313(D)) to the mailing address designated by the owner.
- (2) Electronic mail to the address designated by the owner.
- (3) Hand delivery to the physical location of the multifamily residential property, if neither a mailing address nor an electronic mail address has been designated by the owner.
- (4) Any other method reasonably calculated to provide notice to the owner.

New law additionally provides that parishes, sewerage districts, and waterworks districts shall make written demand for payment of the service charges or user fees by following the same procedures.

Existing law provides that the owner shall have 30 days after the written demand to deliver payment for the amount owed to the municipal governing authority. Requires the municipal governing authority to apply any sums paid by the owner following delivery of the written demand to the balance owed. Provides that after expiration of the 30-day period, the municipal governing authority may file a sworn detailed statement of privilege.

New law additionally provides that the owner shall have 30 days after the written demand to deliver payment for the amount owed to the parish, sewerage district, or waterworks district. Requires the parish, sewerage district, or waterworks district to apply any sums paid by the owner following delivery of the written demand to the balance owed. Authorizes parishes, sewerage districts, and waterworks districts to file a sworn detailed statement of privilege after the expiration of the 30-day period.

Existing law provides that upon the filing of a sworn detailed statement of privilege, the municipal governing authority shall have a privilege upon the multifamily residential property. Provides that the privilege shall secure unpaid service charges, user fees, together with interest thereon at the legal interest rate from the date due.

New law additionally provides that upon the filing of a sworn detailed statement of privilege, a parish, sewerage district, and waterworks district shall have a privilege upon the multifamily residential property.

Existing law requires that the sworn detailed statement of privilege be signed and verified by a municipal official with knowledge of the unpaid service charges or user fees for sewage disposal or water system services and filed for registry in the mortgage records of the parish where the multifamily residential property is located.

New law additionally requires that the sworn detailed statement of privilege be signed and verified by an official of a parish, sewerage district, or waterworks district with knowledge of the unpaid service charges or user fees for sewage disposal or water system services and

filed for registry in the mortgage records of the parish where the multifamily residential property is located.

Effective August 1, 2026.

(Amends R.S. 33:4887(A), (B)(intro. para.), (C), (D), and (E)(1)(intro. para.))