

2018 Regular Session

SENATE BILL NO. 466

BY SENATOR PRICE

LEASES. Provides relative to security deposits for residential leases. (1/1/19)

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AN ACT

To amend and reenact R.S. 9:3252, relative to residential leases; to provide for the return of a security deposit; to provide relative to recovery of certain amounts for failure to comply; to provide for certain actions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:3252 is hereby amended and reenacted to read as follows:

§3252. ~~Damages; venue~~ **Failure of lessor to comply; recovery of amounts by lessee; venue**

A. The willful failure to comply with **R.S.** 9:3251 shall give the tenant or lessee the right to recover ~~actual damages or two hundred dollars~~ **any portion of the security deposit wrongfully retained and three hundred dollars or twice the amount of the portion of the security deposit wrongfully retained**, whichever is greater, from the landlord or lessor, or from the lessor's successor in interest. Failure to remit within thirty days after written demand for a refund shall constitute willful failure.

B. An action for recovery of such damages may be brought in the parish of the lessor's domicile or in the parish where the property is situated.

1 Section 2. The provisions of this Act shall become effective January 1, 2019.

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The original instrument was prepared by Jerry J. Guillot. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tammy Crain Waldrop.

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	DIGEST	
SB 466 Reengrossed	2018 Regular Session	Price

Present law relative to leases provides that the willful failure to comply with present law shall give the tenant or lessee the right to recover actual damages or \$200, whichever is greater, from the landlord or lessor, or from the lessor's successor in interest.

Proposed law provides that tenant or lessee has the right to recover any portion of the security deposit wrongfully retained and \$300 or twice the amount of the portion of the security deposit wrongfully retained, whichever is greater, from the landlord or lessor, or from the lessor's successor in interest.

Effective on January 1, 2019.

(Amends R.S. 9:3252)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Deletes proposed revisions to other laws.

Senate Floor Amendments to engrossed bill

1. Technical amendments.
2. Adds back in the original language "twice the amount of the".