

2019 Regular Session

SENATE BILL NO. 218

BY SENATOR BARROW

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

HOUSING. Provides relative to rental housing. (gov sig)

1 AN ACT

2 To enact R.S. 33:5070, relative to rental housing; to provide for legislative findings; to
3 provide for a local registry; to provide relative to operating standards; to provide for
4 residency rights; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 33:5070 is hereby enacted to read as follows:

7 **§5070. Rental housing registry**

8 **A. It is hereby found and declared that:**

9 **(1) It is the policy of the state to permit and promote the availability of**
10 **rental housing based on a social model that promotes the dignity, individuality,**
11 **privacy, independence, autonomy, well-being, and decision making of residents.**

12 **(2) It is the policy of the state to enable the governing body of parishes**
13 **and municipalities to promote the safety, health, morals and welfare, comfort,**
14 **and security of the people of the state through the provision of adequate, safe,**
15 **and sanitary accommodations for persons residing in rental housing in this**
16 **state.**

17 **(3) It is the policy of the state to promote a vigorous and growing**

1 economy, to prevent economic stagnation, and to encourage the creation of new
2 job opportunities, to increase revenues to the state and to its parishes and
3 municipalities, and to achieve stable and diversified local economies. In
4 furtherance of these goals, the governing authority of parishes and
5 municipalities of this state shall register rental housing in an effort to ensure
6 operation in accordance with this Section. For purposes of this Section, "rental
7 housing" means a residential dwelling from which the owner receives payment
8 from the occupants in return for occupying or using the property.

9 B. The minimum operating standards for rental housing shall include
10 but not be limited to:

11 (1) Compliance with the appropriate provisions of the National Fire
12 Protection Association's Life Safety Code, local and state building codes for the
13 building type, and accessibility standards of the Americans with Disabilities Act.

14 (2) All sanitary conditions within the establishment and its surroundings,
15 including water supply, sewage disposal, food handling, infection control, and
16 general hygiene, which shall ensure the health and comfort of residents.

17 C.(1) Each owner of rental housing shall furnish the following to the local
18 governing authority's department that is responsible for maintaining the rental
19 housing registry:

20 (a) The owner's name, address, and telephone number, or the name,
21 address, and telephone number of the owner's agent.

22 (b) The street address and unit number, as appropriate, for each rental
23 housing that the owner owns, leases, or subleases.

24 (c) A registration fee established by the local governing authority
25 through ordinance in an amount not to exceed five hundred dollars per rental
26 housing address.

27 (2)(a) The requirement set forth in Subparagraph (C)(1) of this Section
28 shall be furnished annually on a form provided by the department of the local
29 governing authority responsible for maintaining the rental housing registry.

1 **(b) Any owner who fails to register as required by this Section shall be**
2 **assessed a fine in the amount of one hundred fifty dollars per week by the**
3 **department of the local governing authority that is responsible for enforcing the**
4 **rental housing registry. Prior to assessment of a fine, the owner shall be given**
5 **an opportunity to appear and be heard at a hearing to be held concerning the**
6 **owner's failure to register. A written notice of the date, time, and place of the**
7 **hearing shall be mailed by certified mail with request for return receipt to the**
8 **owner at least fifteen days prior to the scheduled hearing.**

9 **D. No resident shall be deprived of any rights, benefits, or privileges**
10 **guaranteed by law, the Constitution of the United States, or the Louisiana**
11 **Constitution of 1974, solely on account of his status as a resident of rental**
12 **housing, nor shall a resident forfeit any of the following rights:**

13 **(1) The right to retain and use personal property and a place to store**
14 **personal items that is locked and secure.**

15 **(2) The right to respect bodily privacy and dignity at all times.**

16 **(3) The right to the free exercise of religion.**

17 **(4) The right to privacy with regard to mail, phone calls, and visitors.**

18 **(5) The right to be free of retaliation for criticizing the rental housing**
19 **property or owner or making complaints relative to the rental property or**
20 **owner to appropriate authorities.**

21 Section 2. This Act shall become effective upon signature by the governor or, if not
22 signed by the governor, upon expiration of the time for bills to become law without signature
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become
25 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

DIGEST

SB 218 Engrossed 2019 Regular Session Barrow

Proposed law declares that the policy of the state is to permit and promote the availability of rental housing based on a social model that promotes the dignity, individuality, privacy, independence, autonomy, well-being, and decision making of residents.

Proposed law provides for minimum operating standards for rental housing.

Proposed law requires each owner of a rental house to annually furnish his name, address, and telephone number, or the name, address, and telephone number of his agent; the street address and unit number as appropriate, for each rental house that the owner owns, leases, or subleases; and a registry fee established by local governing authority ordinance in an amount not to exceed \$500 to the local governing authority's department that is responsible for maintaining and enforcing the rental housing registry.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 33:5070)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Requires owners of leased residential dwellings to register with local governing authority rental housing registries and authorizes an annual registration fee to be imposed, by local ordinance, in an amount not to exceed \$500.
2. Defines "rental housing" as a residential dwelling from which the owner receives payment from the occupants in return for occupying or using the property.
3. Removes residency requirement restrictions.
4. Makes technical corrections.