

2019 Regular Session

SENATE RESOLUTION NO. 203

BY SENATOR BARROW

HOUSING. Continues the Task Force on Prevention of Human Degradation and Exploitation of Vulnerable Individuals in Community-Based Residential Settings.

1 A RESOLUTION

2 To continue and provide with respect to the Task Force on Prevention of Human
3 Degradation and Exploitation of Vulnerable Individuals in Community-Based
4 Residential Settings created by Senate Resolution No. 23 of the 2018 Second
5 Extraordinary Session of the Legislature.

6 WHEREAS, through Senate Resolution No. 23 of the 2018 Second Extraordinary
7 Session, the legislature formed a task force to study and make recommendations relative to
8 current and proposed regulations necessary to protect nonrelated individuals residing in a
9 single dwelling from a property owner or landlord who acts without regard to basic rights
10 and responsibilities owed to his tenants; and

11 WHEREAS, after months of research and numerous public meetings, Senate Bill No.
12 218 of the 2019 Regular Session of the Legislature was filed to establish a minimum
13 standard for shared housing establishments, which included certain residency prohibitions
14 that were suggested to be in violation of the Fair Housing Act, 42 USC 3601 et seq.; and

15 WHEREAS, in an effort to clarify that Senate Bill No. 218 was not intended to
16 discriminate against any resident, it was amended in the Senate Committee on Health and
17 Welfare to establish a rental housing registry and apply to all rental properties regardless of
18 the unique characteristics of its residents; and

1 WHEREAS, this equal application to all rental properties drew insurmountable
2 opposition from landlords and property owners who would be subject to the rental housing
3 registry; and

4 WHEREAS, after meeting with the opposition and sincerely attempting to address
5 expressed concerns, Senate Bill No. 218 was amended on the Senate floor to limit the
6 requirement of the rental housing registry to single-family dwellings that were rented to four
7 or more unrelated adults, to exempt apartments, complexes, and residential dwellings
8 licensed by the Louisiana Department of Health and the Louisiana Department of Children
9 and Family Services, and to place all authority for implementation and enforcement with the
10 local parish and municipal governing bodies to be accomplished by local ordinance; and

11 WHEREAS, even with these significant changes to Senate Bill No. 218, the
12 opposition was unwavering and, due to the short nature of a regular fiscal legislative session,
13 time did not allow for further negotiation; and

14 WHEREAS, the work of the Task Force on Prevention of Human Degradation and
15 Exploitation of Vulnerable Individuals in Community-Based Residential Settings is not
16 complete until a legal and fair solution to the problem of unregulated rental housing is
17 devised and implemented, and it is imperative that those organizations that oppose Senate
18 Bill No. 218 join in this effort to craft a solution that works for all.

19 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
20 does hereby continue and provide with respect to the Task Force on Prevention of Human
21 Degradation and Exploitation of Vulnerable Individuals in Community-Based Residential
22 Settings, created by Senate Resolution No. 23 of the 2018 Second Extraordinary Session of
23 the Legislature.

24 BE IT FURTHER RESOLVED that the task force shall continue to study the
25 following as set forth in its original charge:

26 (1) All present federal and state laws, rules, and regulations, as well as local
27 ordinances in existence, to protect vulnerable individuals from degradation and exploitation
28 by certain property owners or landowners.

29 (2) Any state laws, rules, and regulations or local ordinances proposed, as necessary,
30 to protect vulnerable individuals from degradation and exploitation by certain property

1 owners or landowners.

2 (3) Any proposals for regulation of community-based residential settings in which
3 nonrelated individuals reside in a single dwelling and the rent or fees paid to the property
4 owner or landowner are derived from government-funded assistance, such as social security
5 payments, Supplemental Nutrition Assistance Program (SNAP) food stamps, or other federal
6 or state stipends or subsidies.

7 (4) Any civil or criminal penalties to be assessed against a property owner or
8 landowner who manipulates, scams, exploits, or stockpiles individuals in unclean, unsafe,
9 overcrowded, and unhealthy community-based residential settings.

10 (5) Any transition or relocation plan for vulnerable individuals who reside in a
11 community-based setting that is deemed unclean, unsafe, overcrowded, and unhealthy.

12 (6) Any other recommendation deemed important by the task force to address this
13 matter.

14 BE IT FURTHER RESOLVED that the original fifteen members of the task force
15 continue with their service and shall be joined by the following five new members:

16 (1) The president of the Building Officials Association of Louisiana, or his designee.

17 (2) The executive director of the Apartment Association of Louisiana, Inc., or his
18 designee.

19 (3) The executive director of the Louisiana Home Builders Association of Louisiana
20 or his designee.

21 (4) The executive director of the Louisiana Housing Corporation or his designee.

22 (5) The executive director of the Greater New Orleans Fair Housing Action Center
23 or his designee.

24 BE IT FURTHER RESOLVED that the task force shall convene, including its new
25 members, on or before October 1, 2019, shall meet as often as is necessary to fulfill its
26 mission, and shall submit a report, including a legislative proposal, to the Louisiana Senate
27 on or before February 1, 2020.

28 BE IT FURTHER RESOLVED that the task force shall terminate on July 1, 2020.

29 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
30 secretary of the Louisiana Department of Health, the state health officer, the director of the

1 health standards section within the Louisiana Department of Health, the director of the adult
2 protective services section within the Louisiana Department of Health, the secretary of the
3 Department of Children and Family Services, the attorney general, the state fire marshal, the
4 executive director of the Louisiana Municipal Association, the executive director of the
5 Police Jury Association of Louisiana, the executive director of the Advocacy Center of
6 Louisiana, the executive director of the Louisiana Sheriffs' Association, the executive
7 director of the Louisiana District Attorneys Association, the chairman of the Senate
8 Committee on Health and Welfare, the executive director of the Governor's Office of Elderly
9 Affairs, the chairman of the Senate Committee on Judiciary C, the president of the Building
10 Officials Association of Louisiana, the executive director of the Apartment Association of
11 Louisiana, Inc., the executive director of the Louisiana Home Builders Association of
12 Louisiana, the executive director of the Louisiana Housing Corporation, and the executive
13 director of the Greater New Orleans Fair Housing Action Center.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Christine Arbo Peck.

DIGEST

SR 203 Original

2019 Regular Session

Barrow

Continues the Task Force on Prevention of Human Degradation and Exploitation of Vulnerable Individuals in Community-Based Residential Settings created by Senate Resolution No. 23 of the 2018 Second Extraordinary Session of the Legislature.

Provides for continued service of the original 15 members and adds five new members.

Requires the task force to convene on or before October 1, 2019, to meet as often as is necessary to fulfill its mission, and submit a report, including a legislative proposal, to the Louisiana Senate on or before February 1, 2020.