

2020 Second Extraordinary Session

SENATE RESOLUTION NO. 52

BY SENATOR BARROW

HOUSING. Recreates and provides for Task Force on Prevention of Human Degradation and Exploitation of Vulnerable Individuals in Community-Based Residential Settings.

1 A RESOLUTION

2 To recreate and provide with respect to the Task Force on Prevention of Human Degradation
3 and Exploitation of Vulnerable Individuals in Community-Based Residential Settings
4 created by Senate Resolution No. 23 of the 2018 Second Extraordinary Session of
5 the Legislature and continued by Senate Resolution 203 of the 2019 Regular Session
6 of the Louisiana Legislature.

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

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

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

1 the unique characteristics of its residents; and

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

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

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

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

20 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
21 does hereby recreate and provide with respect to the Task Force on Prevention of Human
22 Degradation and Exploitation of Vulnerable Individuals in Community-Based Residential
23 Settings, created by Senate Resolution No. 23 of the 2018 Second Extraordinary Session of
24 the Legislature and continued by Senate Resolution No. 203 of the 2019 Regular Session of
25 the Legislature.

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

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

1 (2) Any state laws, rules, and regulations or local ordinances proposed, as necessary,
2 to protect vulnerable individuals from degradation and exploitation by certain property
3 owners or landowners.

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

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

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

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

16 BE IT FURTHER RESOLVED that the original members of the task pursuant to
17 Senate Resolution No. 23 of the 2018 Second Extraordinary Session and Senate Resolution
18 No. 203 of the 2018 Regular Session continue with their service.

19 BE IT FURTHER RESOLVED that the task force shall convene shall meet as often
20 as is necessary to fulfill its mission, and shall submit a report, including any legislative
21 proposal, to the Louisiana Senate on or before March 1, 2021.

22 BE IT FURTHER RESOLVED that the task force shall terminate on July 1, 2021.

23 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
24 secretary of the Louisiana Department of Health, the state health officer, the director of the
25 health standards section within the Louisiana Department of Health, the director of the adult
26 protective services section within the Louisiana Department of Health, the secretary of the
27 Department of Children and Family Services, the attorney general, the state fire marshal, the
28 executive director of the Louisiana Municipal Association, the executive director of the
29 Police Jury Association of Louisiana, the executive director of the Advocacy Center of
30 Louisiana, the executive director of the Louisiana Sheriffs' Association, the executive

1 director of the Louisiana District Attorneys Association, the chairman of the Senate
2 Committee on Health and Welfare, the executive director of the Governor's Office of Elderly
3 Affairs, the chairman of the Senate Committee on Judiciary C, the president of the Building
4 Officials Association of Louisiana, the executive director of the Apartment Association of
5 Louisiana, Inc., the executive director of the Louisiana Home Builders Association of
6 Louisiana, the executive director of the Louisiana Housing Corporation, and the executive
7 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 Jerry J. Guillot.

DIGEST

SR 52 Original

2020 Second Extraordinary Session

Barrow

Recreates the Task Force on Prevention of Human Degradation and Exploitation of Vulnerable Individuals in Community-Based Residential Settings created by SR 23 of the 2018 Second Extraordinary Session of the Legislature and continued by SR 203 of the 2019 Regular Session.

Provides for continued service of members of the task force pursuant to SR 23 and SR 203.

Requires the task force to meet as often as is necessary to fulfill its mission, and submit a report, including any legislative proposal, to the Senate on or before March 1, 2021.

Provides that task force terminates July 1, 2021.