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

DIGEST

SB 183 Original 2021 Regular Session Abraham

Present law provides that in an incorporated municipality that is under a home rule charter, having a population between 6,650 and 7,650, according to the latest federal decennial census, ownership of an immovable may be acquired by the prescription of three years without the need of just title or possession in good faith.

Proposed law retains present law and extends these provisions to the city of Lake Charles, with the approval of the City Council.

Proposed law provides that in Lake Charles addition to the notices and procedures provided in proposed law, the city of Lake Charles shall adopt additional notice requirements or other conditions by city ordinance which must be met before allowing a possessor to occupy and possess blighted property. These additional requirements may relate to the following matters, among any others not prohibited by the constitution:

(1) Notice of any hearing.

(2) Notice regarding any determination made in connection with the hearing.

(3) The filing and recording of any document related to the hearing in the mortgage or conveyance records of the parish.

Proposed law provides that a possessor of an immovable seeking to establish title to immovable property based on compliance with the requirements set forth in proposed law and in any applicable city ordinance, may bring a possessory action pursuant to present law, and to seek a judgment confirming his ownership of the blighted property in accordance with and to the full extent of the boundaries established by the record title of the prior record owner. The court will render a judgment declaring such possessor to be the record owner of the property upon sufficient proof that the possessor followed the procedures set forth in present and proposed law and adopted by ordinance by the city.

Effective August 1, 2021.

(Amends R.S. 9:5633.1(A)(intro para); adds R.S. 9:5633.1(M) and (N))