
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1063 Reengrossed

2022 Regular Session

Willard

Abstract: Requires a housing provider to conduct individualized assessment of an application and prohibits consideration of certain criminal history record information when evaluating an application for housing.

Present law prohibits discriminatory housing practices pursuant to the La. Equal Housing Opportunity Act.

Proposed law retains present law and authorizes an applicant to provide evidence of inaccuracies with the applicant's criminal history record, evidence of rehabilitation, or other mitigating factors.

Proposed law requires a housing provider to disclose to an applicant in writing whether the housing provider uses an applicant's criminal history record as a basis for eligibility and requires the provider to notify the applicant that the applicant is authorized to provide evidence of inaccuracies, rehabilitation, or other mitigating factors. Proposed law further authorizes a housing provider to provide such disclosures electronically pursuant to present law.

Proposed law provides that when a denial or any adverse action is based on an applicant's criminal history record obtained from a consumer reporting agency, the applicant may submit additional evidence of rehabilitation or other mitigating factors not previously submitted pursuant to proposed law and reapply for the next available housing unit.

Proposed law does not require a housing provider to hold, reserve, or remove from commerce a housing unit pending submission of an applicant's additional information authorized by proposed law.

Proposed law exempts housing providers, property owners, and lessors and their agents or employees from liability in any civil action arising from the decision to rent to a person with a criminal record or who was otherwise charged with or convicted of a crime or for the landlord's decision not to conduct a criminal background check.

(Adds R.S. 51:2606.1)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Remove requirement that a housing provider conduct individualized assessments of each applicant's criminal history and the criteria that a housing provider is authorized to consider in conducting such assessments.
2. Remove requirement that a housing provider provide notice, and the contents required to be included in such notice, as provided for in federal present law.