

2023 Regular Session

HOUSE BILL NO. 273

BY REPRESENTATIVE FARNUM

PROPERTY/EXPROPRIATION: Provides for the expropriation of property by a declaration of taking by certain political subdivisions of Calcasieu Parish

1 AN ACT

2 To amend and reenact the heading of Part III-E of Title 19 of the Louisiana Revised Statutes
3 of 1950 and R.S. 19:134 and 134.1(A), relative to expropriation; to provide for the
4 acquisition of property for the cities of Lake Charles and Sulphur; to provide for
5 limitations; to provide for definitions; and to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 of the Constitution of
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. The heading of Part III-E of Title 19 of the Louisiana Revised Statutes
11 of 1950 and R.S. 19:134 and 134.1(A) are hereby amended and reenacted to read as follows:

12 PART III-E. EXPROPRIATION OF PROPERTY BY
13 A DECLARATION OF TAKING BY PARISH OF CALCASIEU,
14 ~~AND THE CITY~~ CITIES OF LAKE CHARLES AND SULPHUR

15 §134. Property, governing authority defined

16 As used in this Part, the term "property" means any portion of immovable
17 property, including servitudes, rights-of-way, and other rights in or to immovable
18 property, where there are no buildings or structures for support or shelter; the term
19 "governing authority" means the governing authority of the parish of Calcasieu or
20 the ~~city~~ cities of Lake Charles or Sulphur.

1 §134.1. Authority to expropriate; acquisition of property for street, drainage, water,
2 utility, or sewerage projects prior to judgment

3 A. When the governing authority cannot amicably acquire property needed
4 by the parish of Calcasieu ~~or~~, the ~~city~~ cities of Lake Charles and Sulphur, or the
5 Consolidated Gravity Drainage Districts of Calcasieu Parish for a street, drainage,
6 water, utility, or sewerage project, it may acquire the same by expropriation and may
7 acquire the property prior to judgment in the trial court fixing the amount of
8 compensation due to the owner of the property.

9 * * *

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 273 Engrossed

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Abstract: Provides for the expropriation of property in Lake Charles and Sulphur by the Consolidated Gravity Drainage Districts of Calcasieu Parish.

Present law (R.S. 19:134) provides for the expropriation of property by a declaration of taking by Calcasieu Parish and the city of Lake Charles.

Present law defines "governing authority" to include Calcasieu Parish and the city of Lake Charles.

Proposed law expands present law to include the city of Sulphur.

Present law (R.S. 19:134.1) provides for the authority of Calcasieu Parish and the city of Lake Charles to expropriate property for street, drainage, water, utility, or sewerage projects prior to judgment.

Proposed law expands present law to include the city of Sulphur.

(Amends the heading of Part III-E of Title 19 of the La. Revised Statutes of 1950 and R.S. 19:134 and 134.1(A))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Remove certain references to the Consolidated Gravity Drainage Districts of Calcasieu Parish.
2. Make technical changes.