

2024 Regular Session

HOUSE BILL NO. 565

BY REPRESENTATIVES KNOX, WILFORD CARTER, CHASSION, JACKSON,
NEWELL, TAYLOR, AND WALTERS

HISTORIC PRESERVATION: Provides relative to renovation of public historic buildings

1 AN ACT

2 To enact R.S. 25:747, relative to historic preservation; to provide relative to renovations of
3 historic property owned by the state or a parish or municipality; to provide for public
4 notice, public hearing, and public comments regarding such property; to provide for
5 exceptions; to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 25:747 is hereby enacted to read as follows:

8 §747. Renovations of public historic property

9 In addition to all other applicable provisions of law, the provisions of this
10 Section apply to any restoration, renovation, or other construction work performed
11 to the exterior of property that is owned by the state or a parish or municipality and
12 that is designated as a landmark or is located within a historic preservation district
13 under this Chapter or is designated as a National Historic Landmark, individually
14 listed on the National Register of Historic Places, a contributing element of a
15 National Register District, or located within a national historic district under the
16 National Historic Preservation Act.

17 (1) All such work shall adhere to guidelines and best practices outlined by
18 the state historic preservation office and the Department of the Interior, including the
19 Secretary of the Interior's Standards for Rehabilitation and other relevant
20 preservation best practices. No such work shall be undertaken on critical elements
21 of our architectural and cultural heritage without compliance with preservation
22 guidelines and consultation with qualified preservation professionals.

1 (2) Prior to beginning any such work, the state, parish, or municipality
2 undertaking the work shall notify the legislators representing the legislative district
3 in which the property is located. The notification shall be submitted in writing,
4 describe the scope of the proposed work, and reference this Section.

5 (3) The state, parish, or municipality undertaking the work shall hold a
6 public hearing in the parish or municipality where the property is located to solicit
7 public comment on the design of and plan for the renovation or other construction.
8 This shall include the recommendation of the local historic district landmark
9 commission and other preservation experts with expertise regarding the building or
10 structure and the work being undertaken.

11 (4) Following the public hearing, and after review of all comments, the state
12 agency, parish, or municipality undertaking the work, the local historic district
13 commission, or a legislator representing the legislative district in which the property
14 is located may request the opinion of the state historic preservation office on whether
15 the proposed work is appropriate to the historic building.

16 (5) The state agency, parish, or municipality undertaking the work shall
17 consider the opinion of the state historic preservation office prior to beginning any
18 such work.

19 (6) The provisions of this Section do not apply to interior work, routine
20 maintenance, the repair or replacement of a historic feature with the same material
21 or new material that matches the historic material in type, design, dimension, texture,
22 detailing, and appearance, emergency repairs, or work required for the public safety
23 because of an unsafe or dangerous condition.

24 Section 2. This Act shall become effective upon signature by the governor or, if not
25 signed by the governor, upon expiration of the time for bills to become law without signature
26 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
27 vetoed by the governor and subsequently approved by the legislature, this Act shall become
28 effective on the day following such approval.

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 565 Reengrossed

2024 Regular Session

Knox

Abstract: Provides relative to construction work on the exterior of historic buildings owned by the state or a parish or municipality.

Proposed law provides that in addition to all other applicable provisions of law, when the state or a parish or municipality undertakes restoration, renovation, or other construction work performed on the exterior of property that is designated as a landmark, located within a historic district, on the National Register of Historic Places, or a contributing element of a National Register District, the following also apply:

- (1) All such work shall adhere to guidelines and best practices outlined by the state historic preservation office and the Dept. of the Interior. No such work shall be undertaken on critical elements of our architectural and cultural heritage without compliance with preservation guidelines and consultation with qualified preservation professionals.
- (2) The entity undertaking the work shall notify the legislators representing the districts in which the property is located.
- (3) The entity undertaking the work shall hold a public hearing to solicit public comment on the design of and plan for the renovation or other construction.
- (4) Following the public hearing, the state agency, parish, or municipality undertaking the work, the local historic district commission, or a legislator representing the legislative district in which the property is located may request the opinion of the state historic preservation office on whether the proposed work is appropriate to the historic building.
- (5) The state agency, parish, or municipality undertaking the work shall consider the opinion of the state historic preservation office prior to beginning the work.

Proposed law provides that proposed law does not apply to routine maintenance, the repair or replacement of a historic feature with the same or matching material, emergency repairs, or work required for the public safety.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 25:747)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Limit applicability of proposed law to landmarks and historic districts established pursuant to specified state or federal laws.

The House Floor Amendments to the engrossed bill:

1. Limit applicability of proposed law to work on the exterior of buildings and exclude certain other work.
2. Remove proposed law authorizing the state historic preservation officer to issue cease and desist orders and to impose or seek imposition of fines or penalties.
3. Authorize the local historic district and local legislators to request the opinion of the state historic preservation officer on whether the proposed work is appropriate.