
DIGEST

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HB 262 Original

2025 Regular Session

Phelps

Abstract: Provides relative to the removal of unauthorized persons from immovable property.

Proposed law defines the term "adverse possessor".

Proposed law provides that a peace officer may, without a warrant, arrest an adverse possessor when the peace officer has reasonable suspicion to believe that the adverse possessor has violated any provision of present law (Title 14 of the La. Revised Statutes of 1950).

Proposed law provides that a complaint made to a peace officer by a neighbor, witness, or other interested party shall constitute reasonable suspicion for the officer making the arrest.

Proposed law provides that reasonable suspicion shall be presumed based upon preliminary evidence that an adverse possessor has engaged in criminal activity based on specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience.

Proposed law provides that facts and inferences may be based upon but not limited to any of the following:

- (1) Signs of forcible entry.
- (2) The conditions of the property.
- (3) Observations of neighbors.

Present law (R.S. 14:63) provides for criminal trespass.

Proposed law retains present law generally.

Present law defines the term "squatter".

Proposed law changes the term "squatter" to "adverse possessor" throughout present law.

Directs the La. State Law Institute to alphabetize and renumber the definitions contained in R.S. 14:63(C)(2) and to correct any cross-references that may need to be changed as a result of this renumbering.

(Amends R.S. 14:63(C)(2)(a)(ii) and (b); Adds C.Cr.P. Art. 215.3)