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## DIGEST

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HB 676 Reengrossed

2025 Regular Session

Domangue

**Abstract:** Provides for the promulgation of rules and regulations for abandoned vessels, for the removal by third parties, for the consent of property owners, and for a rebuttable presumption of ownership of vessels.

Present law provides the owner of any abandoned vessel must present a plan to remove the object within 30 days of notification to remove the object by the federal, state, or local governing authority with jurisdiction.

Proposed law provides that concurrently with providing notice to the owner of an abandoned vessel, the authority must provide notice to any lien holder with a perfected mortgage under present law.

Proposed law provides that if the owner of a vessel has not been issued certification by the U.S. Coast Guard or the Dept. of Wildlife and Fisheries under present law then there will be a rebuttable presumption that the owner of the vessel is the last known registrant.

Present law provides that if the owner cannot be identified or located the authority can publish notice in the journal of the parish where the object is located that the object will be removed by the authority at the cost of the owner and be disposed of by the authority.

Proposed law retains the provisions of present law but removes the requirement that it be removed and disposed of by the authority.

Proposed law provides that if the object is not removed by the owner any third party can remove the object at their own expense and dispose of the object in any manner it wishes.

Proposed law requires the Dept. of Wildlife and Fisheries to promulgate and adopt rules and regulations to provide a clear process for the following:

- (1) Parties to obtain information regarding the registration or ownership of any vessel that has been deemed abandoned if it is subject to requirements for certificates of documentation by the U.S. Coast Guard under present law or is subject to titling or registration under present law.
- (2) Parties to obtain information regarding holders of security interests or mortgages encumbering any vessel that has been deemed abandoned and has been issued certification by the U.S. Coast Guard or the Dept. of Wildlife and Fisheries under present law.

- (3) Parties to obtain a salvage title and for selling any abandoned vessel that has been recovered.
- (4) Notifying new registrants that they will be deemed as the owner and be held responsible for any vessel deemed abandoned.

Proposed law clarifies that nothing in proposed law authorizes entry onto property without the consent of the property owner.

Present law authorizes the dept. to adopt rules and regulations for establishing guidelines and procedures for registering and titling vessels or outboard motors that are abandoned, salvaged, towed and stored abandoned vessels, court-ordered transferred, or lacking proper ownership documentation.

Proposed law requires the dept. to adopt the rules and regulations for establishing the guidelines and procedures provided by present law.

(Amends R.S. 34:843(A) and 852.23; Adds R.S. 34:843(E) - (G))

#### Summary of Amendments Adopted by House

##### The House Floor Amendments to the engrossed bill:

1. Provide that concurrently with providing notice to the owner of an abandoned vessel, an authority must provide notice to any lien holder with a perfected mortgage under present law.
2. Clarify the establishment of the rebuttable presumption that the owner of the vessel is the last known registrant only if the owner of a vessel has not been issued certification by the United States Coast Guard or the Department of Wildlife and Fisheries under present law.
3. Add to the requirement for the Department of Wildlife and Fisheries to promulgate and adopt rules and regulations to provide a clear process for parties to obtain information regarding the registration or ownership of any vessel that has been deemed abandoned only if it is subject to requirements for certificates of documentation by the United States Coast Guard under present law or is subject to titling or registration under present law.
4. Add a requirement for the Department of Wildlife and Fisheries to promulgate and adopt rules and regulations to provide a clear process for parties to obtain information regarding holders of security interests or mortgages encumbering any vessel that has been deemed abandoned and has been issued certification by the United States Coast Guard or the Department of Wildlife and Fisheries under present law.
5. Make technical changes.