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DIGEST

SB 225 Engrossed

2025 Regular Session

Duplessis

Proposed law provides the following definitions:

- (1) "Dwelling unit" means a room or group of rooms providing complete, independent living facilities, including permanent provisions for living, sleeping, eating, cooking, and sanitation for one or more persons.
- (2) "Guests" means one or more persons who occupy a dwelling unit pursuant to a short-term rental.
- (3) "Person" means an individual, firm, corporation partnership, limited liability company, trust, association, or any other business entity or juridical person, whether operating on a for-profit or nonprofit basis.
- (4) "Short-term rental" means the provision of a dwelling unit, or any portion thereof, to guests for a period of less than thirty consecutive days in exchange for money or other valuable consideration.

Proposed law provides that "short term rental" does not include hotels, motels, bed and breakfast, and other property uses explicitly defined and regulated by any other provision of law, or any other property use explicitly exempted by applicable local ordinance.

Proposed law provides that no person shall provide a short-term rental without the required license or permit, if applicable, or in violation of any applicable local zoning, land use, property use, or related regulatory ordinance.

Proposed law provides that a civil action for relief as provided in proposed law may be brought against the person providing the short-term rental in violation of proposed law by the following parties:

- (1) A person owning or leasing immovable property within 500 feet of the short-term rental.
- (2) A nonprofit neighborhood association with one or more members residing within 500 feet of the short-term rental.
- (3) A nonprofit housing or lodging trade association with one or more members operating a place of business located within 500 feet of the short-term rental.

- (4) A historic, economic development, crime prevention, development, or management district that is a political subdivision of the state whose boundaries encompass the short-term rental.

Proposed law provides that appropriate relief to prevent a violation of proposed law in a civil action brought against the person providing the short-term rental shall include injunctive or declaratory relief, a protective order or prohibition, or writ of mandamus.

Proposed law provides that a person bringing a civil action against the provider of a short-term rental pursuant to proposed law may be entitled to recover, at the discretion of the court, attorney fees and costs.

Proposed law provides that, prior to bringing the cause of action provided for in proposed law, the plaintiff shall:

- (1) Provide written notice of the violations alleged pursuant to proposed law to the defendant and the local governing authority code enforcement or zoning department
- (2) Allow 60 days from the date of delivery of the written notice to the local governing authority

Proposed law provides that the plaintiff may bring a cause of action pursuant to proposed law if the local governing authority fails to address the violations.

Proposed law provides that, in accordance with present law (C.C. Art. 3493.1), the cause of action created by proposed law is subject to a liberative prescription of two years from the date the plaintiff became aware of the violation of proposed law.

Effective August 1, 2025.

(Adds R.S. 9:3258.2)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Removes definition for "short-term rental structure", provides definitions for "dwelling unit", "guests", and "person". Clarifies definition for "short-term rental", by adding that "short-term rental" does not include any property use explicitly exempted by applicable local ordinance.
2. Provides that no person shall provide a short-term rental without the required license or permit, if applicable, or in violation of any applicable local zoning, land use, property use, or related regulatory ordinance.
3. Provides that those parties who may bring a civil action for relief under proposed law include:

- (a) A person owning or leasing immovable property within 500 feet of the short-term rental.
 - (b) A nonprofit neighborhood association with one or more members residing within 500 feet of the short-term rental.
 - (c) A nonprofit housing or lodging trade association with one or more members operating a place of business located within 500 feet of the short-term rental.
 - (d) An historic, economic development, crime prevention, development, or management district that is a political subdivision of the state whose boundaries encompass the short-term rental.
- 4. Provides that appropriate relief in a civil action brought against a person providing the short-term rental includes injunctive or declaratory relief, a protective order or prohibition, or writ of mandamus.
- 5. Provides that a person bringing a civil actions against the provider of a short-term rental may be entitled to recover, at the discretion of the court, attorney fees and costs.
- 6. Prior to bringing the cause of action provided for in proposed law, requires the plaintiff to:
 - (a) Provide written notice of the violations alleged pursuant to proposed law to the defendant and the local governing authority code enforcement or zoning department.
 - (b) Allow 60 days from the date of delivery of the written notice to the local governing authority.
- 7. Specifies that the plaintiff may bring a cause of action pursuant to proposed law if the local governing authority fails to address the violations.
- 8. Clarifies that in accordance with (C.C. Art. 3493.1), the cause of action created by proposed law is subject to a liberative prescription of two years from the date the plaintiff became aware of the violation.