

2026 Regular Session

HOUSE BILL NO. 284

BY REPRESENTATIVE WYBLE

PROPERTY/EXPROPRIATION: Authorizes certain parishes and municipalities to expropriate blighted property by declaration of taking

1 AN ACT

2 To enact Part XIII of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of
3 R.S. 19:396 through 396.12, relative to expropriation of property; to authorize
4 certain parishes and municipalities to expropriate by a declaration of taking; to
5 provide for definitions; to provide for procedures; to provide for purposes of the
6 expropriation; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part XIII of Title 19 of the Louisiana Revised Statutes of 1950, comprised
9 of R.S. 19:396 through 396.12, is hereby enacted to read as follows:

10 PART XIII. EXPROPRIATION OF ABANDONED OR BLIGHTED PROPERTY
11 BY A DECLARATION OF TAKING BY PARISHES AND MUNICIPALITIES
12 WITH A POPULATION OF LESS THAN FIFTY THOUSAND

13 §396. Purpose

14 In an effort to control the rising number of abandoned or blighted properties
15 throughout the state and to slow urban blight, the Legislature of Louisiana finds it
16 necessary to implement a mechanism by which parishes and municipalities with a
17 population of less than fifty thousand are empowered to more readily obtain
18 abandoned or blighted properties. The provisions of this Part serve a public purpose,
19 protect the health, safety, and welfare of the public, and are intended to provide a
20 means by which governing authorities may revitalize economically depressed areas

1 by placing abandoned or blighted properties back into the economic stream of
2 commerce through the rehabilitation of the abandoned or blighted property. The
3 procedure created by this Part shall be in addition to any other procedure authorized
4 by law.

5 §396.1. Definitions

6 For the purposes of this Part, unless the context clearly otherwise requires or
7 unless otherwise defined in specific portions of this Part, the following words or
8 phrases have the respective meanings:

9 (1)(a) "Abandoned property" means any commercial or residential property
10 that is vacant or not lawfully occupied. The terms "vacant" or "not lawfully
11 occupied" have the same meanings and circumstances described in R.S. 33:1236(49),
12 4720.59, and 4754 and include any or all of the following property conditions:

13 (i) Not actually occupied by the owner, lessee, or an authorized occupant.

14 (ii) Lacking customary utility service or has been left unsecured or
15 inadequately secured from unauthorized entry such that the premises may be entered
16 and utilized by vagrants or other uninvited persons as a place of harborage.

17 (iii) Deemed detrimental to or endangers the public safety, health, or welfare
18 by reason of dilapidation, deterioration, disrepair, neglect, damage, vacancy,
19 abandonment, or other condition.

20 (iv) Determined to be unfit for human occupancy, unsafe structures,
21 unlawful structures, structures containing unsafe equipment, or housing code
22 violations as those terms may be defined by state law, local ordinances, or applicable
23 building, housing, fire, or health codes.

24 (v) Considered a public nuisance under state law, local ordinance, or
25 applicable administrative or judicial determination.

26 (vi) Deemed uninhabitable or that presents a threat to public health or safety
27 because of the physical condition, use, or disuse.

28 (b) Property that is uninhabitable and for which ad valorem taxes have been
29 delinquent for three or more years may be presumed to be abandoned. However, the

1 presumption shall be rebuttable. Nothing in this definition shall be construed to limit
2 the authority of a governing authority to determine abandonment under other
3 applicable provisions of law.

4 (2)(a) "Blighted property" means any commercial or residential premises
5 including buildings, structures, or vacant lots, which because of physical condition,
6 use, or neglect are detrimental to the public health, safety, morals, or welfare, impair
7 the economic stability of the surrounding area, or constitute a blighting influence on
8 nearby properties. The term includes any or all of the following property conditions:

9 (i) Has been declared vacant, uninhabitable, hazardous, or blighted by a
10 court of competent jurisdiction, an administrative hearing officer acting pursuant to
11 R.S. 13:2575 or 2576, or any other applicable law.

12 (ii) Has been determined to be a public nuisance, fire hazard, environmental
13 hazard, or threat to public health or safety pursuant to state law or a local ordinance.

14 (iii) Contains or constitutes an unsafe structure, unlawful structure, structure
15 unfit for human occupancy, or structure containing unsafe equipment as defined by
16 applicable state law, building codes, housing codes, fire codes, or local ordinances.

17 (iv) Is dilapidated, decayed, deteriorated, structurally unsafe, vermin-infested,
18 unsanitary, lacking essential utilities or facilities, or otherwise maintained in a
19 condition detrimental to public health, safety, welfare, or the economic stability of
20 the community.

21 (v) Has been declared or certified blighted, abandoned, deleterious, or
22 otherwise hazardous pursuant to R.S. 14:107.3, R.S. 33:1373, 1374, 4720.59, R.S.
23 40:600.33, or other applicable law.

24 (vi) By reason of physical condition, environmental contamination,
25 prolonged vacancy, neglect, or failure to maintain the property in accordance with
26 applicable codes or ordinances, constitutes a threat to persons or property or creates
27 a blighting influence on surrounding properties.

28 (b) This definition shall be construed broadly to effectuate the purpose of
29 addressing abandoned, hazardous, and blighted properties and includes but is not

1 limited to conditions identified under any applicable state statute, local ordinance,
2 administrative determination, or judicial finding relating to blight, abandonment,
3 public nuisance, unsafe structures, or similar conditions and other applicable law.

4 (3) "Governing authority" means the governing authority of any parish or
5 municipality having a population of less than fifty thousand, according to the latest
6 federal decennial census, or any assignee which is authorized by the parish or
7 municipality to carry out the purpose of this Part.

8 (4) "Notice" means the sending of written communication to a person
9 entitled to receive notice pursuant to this Part by any of the following methods:

10 (a) By means of registered or certified mail, return receipt requested, to an
11 owner at the address of the owner listed in the assessor's office for the parish in
12 which the abandoned or blighted property is located.

13 (b) In the same manner as service of citation or other process as provided for
14 in the Code of Civil Procedure and R.S. 13:3201 et seq., whether made by a sheriff,
15 deputy sheriff, or constable or as otherwise provided by law in any civil matters.

16 (c) By a duly authorized building inspector or other representative of the
17 political subdivision, as provided by ordinance.

18 (d) In the event that the owners are absent or unable to be notified in
19 accordance with Subparagraphs (4)(a) through (c) of this Section, notice may be
20 made by publication once a week for two consecutive weeks in an official journal of
21 the political subdivision in which the property is located.

22 (5) "Owner" means any person having an ownership interest in the property
23 as shown in the conveyance records of the parish in which the property is located,
24 including but not limited to ownership or leasehold interest.

25 (6) "Property" means any portion of immovable property, including
26 servitudes, leases, rights-of-way, and other rights in or to immovable property.

1 §396.2. Authority to expropriate; acquisition of abandoned or blighted property
2 prior to judgment

3 A. If a governing authority cannot amicably acquire property needed by the
4 governing authority for the rehabilitation of abandoned or blighted property in order
5 to return it to commerce, it may acquire the same by expropriation and may acquire
6 the abandoned or blighted property prior to judgment in the trial court fixing the
7 amount of compensation due to the owner of the abandoned or blighted property.

8 B. At least fifteen days prior to filing a petition for expropriation, the
9 governing authority shall send notice to the owner of its intention to expropriate the
10 property pursuant to this Part. The letter of notification shall also inform the owner
11 that if, within fifteen days after being served with the citation and pleading, he does
12 not object to the taking on the grounds that it is not for a public purpose or fails to
13 show that the abandoned or blighted conditions of the property have been
14 substantially rehabilitated and that all taxes and public liens have been paid, he shall
15 waive all defenses to the taking except claims for compensation or damages.

16 C. Except for the provisions of R.S. 48:453(E), 456(A)(3) and (B), and as
17 otherwise provided in this Part, such expropriation by the governing authority shall
18 be conducted in the manner that the Department of Transportation and Development
19 may expropriate property for highway purposes, as set forth in R.S. 48:441 through
20 460.

21 §396.3. Contents of petition for expropriation; place of filing

22 The right of expropriation granted by this Part shall be exercised in the
23 following manner:

24 (1) A petition shall be filed by the governing authority in the district court
25 of the parish in which the property to be expropriated is located.

26 (2) The petition shall contain a statement of the purpose for which the
27 property is to be expropriated, a legal description of the property being expropriated,
28 and the name of the record owner or owners.

1 (3) The petition shall have annexed to it the following:

2 (a) A certified copy of a resolution adopted by the governing authority
3 generally authorizing the taking of abandoned or blighted property and declaring that
4 it is necessary or useful for the purposes of this Part.

5 (b) An itemized statement of the amount of money estimated to be the full
6 extent of the owner's loss for the actual taking, use, damage, or destruction, as the
7 case may be. It shall be signed by a qualified and licensed real estate appraiser who
8 made the estimate and shall include the date on which the appraisal was made.

9 (c) A copy of the letter of notification of intention to expropriate the
10 property, as required by R.S. 19:396.2(B), and an affidavit setting forth the efforts
11 to notify the owner.

12 §396.4. Prayer of petition; ex parte order for deposit; value determination

13 The petition shall conclude with a prayer that the abandoned or blighted
14 property be declared taken for the purpose of rehabilitating economically depressed
15 property by placing it back into the economic stream of commerce. Upon
16 presentation of the petition, the court shall issue an order directing that the amount
17 of the appraisal be deposited in the registry of the court. Upon the deposit of the
18 amount of the appraisal in the registry of the court, for the use and benefit of the
19 persons entitled, the clerk shall issue a receipt showing the amount deposited, the
20 date it was deposited, the style and number of the cause, and the description of the
21 property as contained in the petition.

22 §396.5. Vesting of title

23 Upon presentation of the receipt issued by the clerk of court, the court shall
24 render an immediate ex parte order transferring and vesting full and complete right,
25 title, and ownership in and to the property unto the governing authority, free and
26 clear of all rights of all interested owners, and all such rights and interests shall be
27 transferred to and attach to the funds on deposit. The rights and interests of all
28 creditors shall be transferred and attach to the funds on deposit. Upon vesting of
29 title, the governing authority may enter upon and take possession of the property.

1 §396.6. Notice to defendant

2 Upon receipt of the deposit and the ex parte order, the clerk of court shall
3 comply with all laws governing citation as to each named defendant.

4 §396.7. Contesting validity of proposed taking; waiver of defenses

5 A. Any defendant desiring to contest and oppose the validity of the taking
6 on the grounds that the property taken was not expropriated for a public purpose or
7 the abandoned or blighted conditions of the property have been substantially
8 rehabilitated, and all taxes and governmental liens have been paid, shall file a motion
9 to dismiss the taking within fifteen days after the date on which the citation was
10 served on him or a court-appointed curator on his behalf. The motion to dismiss the
11 taking shall be served pursuant to Code of Civil Procedure Article 1314. This
12 motion shall be tried contradictorily as a summary proceeding with preference over
13 all other matters to the judge alone and shall be decided prior to fixing the case for
14 trial on the compensation or damages due to the defendant.

15 B. The ex parte order vesting title in the governing authority shall become
16 final upon the failure of the defendant to timely file the opposition provided in
17 Subsection A of this Section. If the defendant files an opposition, the ex parte order
18 becomes final upon the rendering of a judgment in favor of the governing authority
19 on the trial of the opposition or as otherwise provided in the Code of Civil Procedure.

20 §396.8. Defendant's answer; requirements; delay for filing

21 When property is expropriated pursuant to this Part, any defendant may apply
22 for a trial to the district court for the parish in which the property is located to
23 determine the measure of compensation to which he is entitled, if:

24 (1) The defendant or owner applies for a trial within fifteen days from the
25 date of service upon him, or a curator ad hoc appointed for him, or within an
26 extended period of time granted by the court for good cause not to exceed sixty days,
27 otherwise it shall be conclusively presumed that the amount deposited by the
28 governing authority is correct and the defendant or owner shall thereafter be barred
29 from disputing the deposited amount.

1 (2) His answer sets forth the amount he claims, including the value of each
2 parcel expropriated.

3 (3) His answer includes a certificate showing that a copy thereof has been
4 served personally or by mail on all parties to the suit who have not joined in the
5 answer.

6 §396.9. Encumbrances and taxes

7 A. Subsequent to the rendition of the ex parte order of expropriation, the
8 governing authority shall notify all parties having any mortgage, lien, or
9 encumbrance on the property of the pendency of the proceedings. Such notices shall
10 be sent to all such parties as may be reasonably ascertained. Notices may be sent as
11 provided for in this Part. The rights and interest of all creditors shall be transferred
12 and attach to the funds on deposit. The court may exercise summary jurisdiction to
13 rank the creditors according to law and their respective priority and order distribution
14 of the funds.

15 B. The expropriated property shall be vested in the governing authority free
16 and clear of all mortgages, liens, privileges, and encumbrances. All inscriptions for
17 taxes, tax liens, and governmental charges shall be canceled according to law upon
18 payment to the extent that the funds are available from the amount deposited into the
19 registry of the court. When the ex parte order vesting title in the governmental
20 authority becomes final, as provided in R.S. 19:396.7(B), the court shall order, upon
21 ex parte motion, the recorder of mortgages to cancel and erase all liens, mortgages,
22 and encumbrances affecting the expropriated property and shall also order the taxing
23 authority to cancel and erase all taxes, tax liens, and governmental charges against
24 the property.

25 §396.10. Acquisition by third persons

26 The governing authority shall provide an equal opportunity for all natural or
27 juridical persons, including but not limited to sole proprietorships, partnerships,
28 corporations, or limited liability companies, whether for profit or nonprofit, to
29 acquire property expropriated pursuant to the provisions of this Part when the

1 governing authority decides to sell, convey, or otherwise dispose of any property
2 expropriated pursuant to the provisions of this Part. Notwithstanding the foregoing
3 provisions, the governing authority may establish a preference for the allocation of
4 these properties to low-income families, directly or through for-profit or nonprofit
5 organizations which will have rehabilitated or constructed housing on the property.

6 §396.11. Sale of expropriated property

7 Notwithstanding any other provision of law to the contrary, the governing
8 authority may sell property acquired pursuant to this Part at public or private sale.
9 Before any such sale may be made, the governing authority shall enact an ordinance
10 generally approving the sales. The ordinance shall state whether such sales shall be
11 by public or private sale. If the ordinance states that a sale shall or may be by private
12 sale, the ordinance shall establish a fair and equitable policy with uniform
13 application for determining the sale price. For purposes of this Section, the sale of
14 property acquired pursuant to this Part shall not be considered the sale of surplus
15 property or of property owned by the governing authority.

16 §396.12. Notice of sale; private and public

17 A. If property is sold at private sale, the governing authority shall on a
18 quarterly basis publish a short description of how the governing authority is making
19 properties, acquired pursuant to this Part, available for purchase by the public. The
20 governing authority shall also publish on a quarterly basis a list of properties
21 acquired pursuant to this Part that have been sold by the governing authority in the
22 preceding quarter and shall include the name of the purchaser and the municipal
23 address of the property sold or, if no municipal address is available, the district, lot,
24 and square number, and the price at which the property was sold. If the governing
25 authority maintains an official website, the required quarterly notices shall also be
26 posted on the website and made reasonably accessible to the public.

27 B. If property is sold at public sale, notice of the sale shall be published at
28 least twice in the manner provided by law for sales under judicial process. The
29 advertisement of the notice of the public sale shall contain the date of the sale, the

1 place and time of the sale, the municipal address of the property subject to such sale
 2 or, if no municipal address is available, the district, lot, and square number, and the
 3 terms of the sale. If the governing authority maintains an official website, the
 4 required notice of sale shall also be posted on the website contemporaneously to the
 5 notice conducted in the manner provided by law for sales under judicial process.

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 284 Engrossed

2026 Regular Session

Wyble

Abstract: Authorizes parishes and municipalities with a population of less than 50,000 to expropriate blighted property by declaration of taking.

Proposed law authorizes a parish or municipality with a population of less than 50,000, referred to as a "governing authority", to expropriate abandoned or blighted property by a declaration of taking.

Proposed law defines "abandoned property", "blighted property", "governing authority", "notice", "owner", and "property".

Proposed law provides for the following procedures:

- (1) Requires notification to an owner of the intention to expropriate the property at least 15 days prior to filing a petition for expropriation.
- (2) Expropriation is to be conducted in a manner consistent with the existing procedures used by the Dept. of Transportation and Development (DOTD).
- (3) Requires the filing of a petition and resolution containing a statement of public purpose and attachment of certain other documentation and depositing in the registry of the court in an amount equal to the estimated value of the property. Upon presentation of the receipt of the deposit, the court issues an ex parte order vesting title with the governing authority. The ex parte order becomes final upon the defendant's failure to file a motion to dismiss or a judgment is rendered in favor of the governing authority on the trial of the motion.
- (4) Upon receipt of the deposit and the ex parte order, notice of the petition, along with the ex parte order and receipt of deposit, is sent by the clerk of court to all defendants.
- (5) Provides procedures for a defendant to contest the validity of the taking, within 15 days after the date which the citation was served, on the grounds that the property taken was not expropriated for a public purpose or that the blighted conditions on the property have been or are in the process of being rehabilitated.
- (6) Provides for equal opportunity for all natural and juridical persons to purchase expropriated blighted property from the governing authority when the governing authority decides to sell, convey, or otherwise dispose of expropriated property.

- (7) Requires the governing authority to provide notice of the sale of property acquired through expropriation.
- (8) Requires certain notices be posted on the governing authorities website to be made available to the public.

(Adds R.S. 19:396-396.12)

Summary of Amendments Adopted by House

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

- 1. Make technical corrections.
- 2. Provide that the intent of proposed law is to serve a public purpose and to protect the health, safety, and welfare of the public.
- 3. Redefine "abandoned property" and "blighted property".
- 4. Require certain notices be published on the governing authority's official website.