2026 Regular Session

HOUSE BILL NO. 81

BY REPRESENTATIVE BOYER

PROPERTY: Provides relative to branches or roots of trees, bushes, or plants on neighboring property

1   AN ACT

2 To enact Civil Code Article 688.1, relative to branches and roots on neighboring property;

3   to authorize removal of branches and roots in certain circumstances; to require

4   notification; to provide for damages; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6   Section 1. Civil Code Article 688.1 is hereby enacted to read as follows:

7   Art. 688.1. Removal of branches or roots of trees, bushes, or plants extending or

8   growing on neighboring property; penalties

9   A. If a neighbor does not trim the branches or roots of his trees, bushes, or

10   plants that extend over or into a landowner's property after a demand for removal has

11   been issued pursuant to Article 688, the landowner may have the branches or roots

12   trimmed only by a licensed arborist following arboricultural standards, at the

13   landowner's own expense, if the landowner sends a thirty-day written notification to

14   the neighbor via certified mail in accordance with Paragraph (B) of this Article.

15   B. The written notification shall include the date, demand for removal, the

16   name and credentials of the licensed arborist who is to perform the removal, the

17   proposed date of the removal, and a statement that provides that if the neighbor does

18   not remove the branches or roots, the landowner shall proceed with removal after

19   thirty days from the delivery of the written notification. The credentials of the

1   licensed arborist shall include an arborist license in addition to general liability

2   insurance and workers' compensation insurance.

3   C. A landowner who removes the branches or roots in violation of this

4   Article shall be liable for any damages to the neighbor's trees, bushes, or plants

5   caused by the removal.

DIGEST

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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 81 Engrossed   2026 Regular Session   Boyer

Abstract: Permits the removal of a neighbor's branches and roots that extend beyond the
          property line in certain circumstances.

Present law (C.C. Art. 688) authorizes a landowner to demand removal of branches and roots
extending into his property, at the expense of the neighbor, if it affects the enjoyment of the
property.

Proposed law authorizes the trimming of the branches or roots, at the landowner's own
expense, by a licensed arborist following arboricultural standards if the landowner sends a
30-day written notification via certified mail after the neighbor does not trim the branches
or roots of his trees, bushes, or plants.

Proposed law requires a written notification that includes the date, demand for removal, the
name and credentials of the licensed arborist who is to perform the removal, the proposed
date of the removal, and a statement providing that if the neighbor does not remove the
branches or roots, the landowner will proceed with removal after 30 days from the delivery
of the written notification.

Proposed law also requires that the licensed arborist has general liability insurance and
workers' compensation insurance.

Proposed law requires a landowner who removes the branches or roots in violation of
proposed law to be liable for any damages to the neighbor's trees, bushes, or plants caused
by the removal.

(Adds C.C. Art. 688.1)

Summary of Amendments Adopted by House

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

      1.   Permit only a licenced arborist with general liability insurance and workers'
            compensation insurance to perform the trimming of the branches or roots.

      2.   Add to the required information in a written notification to include the name and
            credentials of the licensed arborist and the proposed date of the removal.

      3.   Make technical changes.