
DIGEST

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HB 313 Engrossed

2016 Regular Session

Garofalo

Abstract: Provides for disclosure of information to property owners whose property is subject to expropriation.

Present law provides procedures for expropriation by expropriating authorities, including the state or its political corporations or subdivisions, and domestic or foreign corporations, limited liability companies, or other legal entities engaged in the construction of railroads, toll roads, navigation canals, waterworks, filtration and treating plants, sewerage plants, piping, marketing and transportation of natural gas for the purpose of supplying the public with natural gas, transmitting intelligence by telegraph or telephone, and various other public utilities.

Present law requires disclosure of certain information before exercising the right of expropriation, including the appraisal of the compensation due the landowner and the purpose, terms, and conditions of the proposed acquisition.

Proposed law (R.S. 19:2.2(B)) retains present law and provides for additional disclosures of information to property owners by expropriating authorities, other than the state or its political subdivisions, prior to the making of an offer to acquire an interest in property.

Proposed law specifies that the required notice shall be made not more than 30 days after making an offer to acquire an interest in the property.

Proposed law authorizes the expropriating authority to either identify the website where the statutes can be read or provide a copy of the statutes.

Effective January 1, 2017.

(Amends R.S. 19:2.2(B) and (C); Adds R.S. 19:2.2(D))

Summary of Amendments Adopted by House

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

1. Deletes requirement that an expropriating authority provide all required information prior to making an offer and specifies instead that the information be provided not more than 30 days after making an offer to acquire the property.

2. Adds provision that the notice contain a statement that the property may be expropriated only by an authority authorized to do so.
3. Authorizes the expropriating authority to either identify the website where the statutes can be read or provide a copy of the statutes.
4. Changes the requirement to identify "each" regulatory agency to identifying a single regulatory agency.
5. Adds special effective date of Jan. 1, 2017.