

2016 Regular Session

HOUSE BILL NO. 1150 (Substitute for House Bill No. 1122 by Representative L. Harris)

BY REPRESENTATIVE LANCE HARRIS

1 AN ACT

2 To amend and reenact R.S. 48:221(A)(2), relative to property acquired by the Department  
3 of Transportation and Development; to provide relative to the method by which the  
4 Department of Transportation and Development disposes of certain property; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 48:221(A)(2) is hereby amended and reenacted to read as follows:

8 §221. Acquisition of balance of land in certain cases; disposition; exchange; excess  
9 property

10 A.

11 \* \* \*

12 (2)(a) When the department has acquired property in excess of the width or  
13 area required for departmental purposes or determines that certain property is no  
14 longer needed for its purposes, such property may be sold to the highest bidder after  
15 advertisement for bids twice within a thirty-day period provided the final  
16 advertisement appears at least fifteen days prior to sale in the official journal of the  
17 parish in which the property is located. However, the secretary shall offer to sell  
18 such property at a private sale to the vendor or ~~said~~ the vendor's successors in title  
19 who sold such property to the department upon payment of its present appraised  
20 market value. However, the secretary shall first offer to sell such property to the ~~said~~  
21 vendor's successors in title, or to the owner of the land whose property or any portion  
22 thereof is separated from a highway by such excess area, upon payment of the  
23 present appraised market value.

1            (b) Notwithstanding any provision of law to the contrary, when the  
 2            department has amicably acquired property that was identified as an uneconomic  
 3            remainder at the time of acquisition, there shall be no obligation to offer such  
 4            property at private sale to the vendor or the vendor's successors in title. This  
 5            Subparagraph shall apply only to property amicably acquired subsequent to July 1,  
 6            2016.

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8            Section 2. This Act shall become effective July 1, 2016.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_