

2021 Regular Session

HOUSE BILL NO. 247

BY REPRESENTATIVE EDMONSTON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC FACILITIES: Prohibits naming public facilities after persons

1 AN ACT

2 To amend and reenact R.S. 42:267 and to repeal R.S. 17:85 and 3351(G) and R.S.
3 33:4712.22 and 4712.23, relative to naming of public facilities; to prohibit naming
4 public buildings, roads, and other public facilities after persons; to provide for
5 applicability to currently named facilities; to provide for an effective date; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 42:267 is hereby amended and reenacted to read as follows:

9 §267. Naming public ~~buildings, etc.,~~ facilities in honor of a ~~living~~ person prohibited;

10 ~~penalty enforcement~~

11 A. ~~Except as authorized or provided by law, no~~ No public facility, including
12 any public building, public bridge, road, or street, public park, public fish or game
13 preserve, or public wildlife refuge, school, or athletic facility or any portion of a
14 public facility owned by the state or by any political subdivision of the state or by
15 any institution receiving its support in whole or in part from the state shall be named
16 in honor of any ~~living~~ person.

17 B. ~~The officer, officers, board, or commission responsible for naming any~~
18 ~~public building, public bridge, public park, public fish or game preserve, or public~~
19 ~~wildlife refuge named in violation of this Section in honor of any person who is still~~
20 ~~living shall change the name and the officer, officers, board, or commission in charge~~

1 ~~of such building, bridge, park, preserve, or refuge shall destroy, deface, or remove~~
 2 ~~all plaques, signs, or other evidence of the name of such person appearing on the~~
 3 ~~premises thereof.~~ No officer, agency, governing authority, board, or commission is
 4 required by this Section to change the name of a public facility that was named in
 5 honor of a person prior to July 1, 2022. However, if the name of a facility is changed
 6 on or after July 1, 2022, the officer, governing authority, board, or commission shall
 7 comply with Subsection A of this Section in selecting a new name.

8 C. Any person may commence a suit in the district court for the parish in
 9 which the ~~building, bridge, park, preserve, or refuge~~ facility is located for
 10 mandamus, injunctive, or declaratory relief to require compliance with the provisions
 11 of this Section, together with reasonable attorney fees and costs.

12 Section 2. R.S. 17:85 and 3351(G) and R.S. 33:4712.22 and 4712.23 are hereby
 13 repealed in their entirety.

14 Section 3. This Act shall become effective on July 1, 2022.

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 247 Original

2021 Regular Session

Edmonston

Abstract: Prohibits state agencies and local governments from naming buildings, roads, and other facilities after persons.

Present law prohibits naming a public building, public bridge, public park, public fish or game preserve, or public wildlife refuge owned by the state or by any political subdivision of the state or by any institution receiving support from the state in honor of a *living* person.

Proposed law prohibits naming such facilities after *any* person and also makes the prohibition specifically applicable to roads, streets, schools, and athletic facilities and any portion of a public facility covered by present law or proposed law.

Present law requires that the name of any facility named in violation of present law be changed.

Proposed law provides that proposed law does not require that the names of facilities named after persons prior to July 1, 2022, be changed. However, requires that if the name of a facility is changed, the new name shall comply with proposed law.

Present law authorizes any person to commence a suit in district court for mandamus, injunctive, or declaratory relief to require compliance with the provisions of present law

together with reasonable attorney fees and costs. Proposed law retains applicability of present law to the prohibition in proposed law.

Proposed law repeals the following provisions of present law:

- (1) Authorizing a local public school board to name a street that it maintains or an existing athletic facility in honor of a living person.
- (2) Authorizing a public postsecondary education management board to name buildings in honor of living persons.
- (3) Authorizing the governing authorities of certain parishes to name sports complexes, buildings, parks, and civic complexes after living persons.

Effective July 1, 2022.

(Amends R.S. 42:267; Repeals R.S. 17:85 and 3351(G) and R.S. 33:4712.22 and 4712.23)