
DIGEST

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HB 375 Reengrossed

2021 Regular Session

Freeman

Abstract: Provides for victims of sexual assault to receive early termination of their residential leases.

Proposed law provides definitions for "sexual assault", "sexual assault victim", "reasonable documentation", and "qualified third party".

Proposed law provides that in order to receive an early termination, the lessee shall do all of the following:

- (1) Assert in writing to the lessor that the lessee is a victim of sexual assault and requests an early termination.
- (2) Provide reasonable documentation of a sexual assault within the prior six months.
- (3) Assert in writing that the lessee shall not willingly and voluntarily permit the sexual offender further access to, visitation on, or occupancy of the lessee's residential dwelling unit.
- (4) Fulfill all requirements of a lessee under the lease agreement.

Proposed law requires the lessor to terminate the lease agreement on a mutually agreed-upon date within 30 days of written request for early termination, and provides that the lessee is liable for rent through the early termination date of the lease and outstanding obligations to the lessor.

Proposed law provides that the lessor shall be entitled to an immediate eviction of a sexual assault offender upon presenting reasonable documentation of the assault.

Proposed law provides that the lessee shall vacate the residential property by the date agreed upon to avoid liability for future rent.

Proposed law provides for a certification of sexual assault form to be completed by the lessee and a qualified third party.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 9:3261.2)

Summary of Amendments Adopted by House

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

1. Specify that a "qualified third party" includes a prosecuting attorney or investigating law enforcement officer who has personal involvement in the investigation or prosecution of any criminal case relative to the sexual assault.
2. Add that the lessor is entitled to an immediate eviction of a sexual assault offender upon presenting the court with reasonable documentation of the assault.

The House Floor Amendments to the engrossed bill:

1. Redefine "sexual assault" to include any nonconsensual sexual contact included but not limited to any act in R.S. 15:541(24).
2. Add an effective date.