

RÉSUMÉ DIGEST

ACT 103 (SB 183)

2021 Regular Session

Abraham

Prior law provided that in an incorporated municipality that is under a home rule charter, having a population between 6,650 and 7,650, according to the latest federal decennial census, ownership of an immovable may be acquired by the prescription of three years without the need of just title or possession in good faith.

New law retains prior law and extends these provisions to the city of Lake Charles, with the approval of the city council.

New law provides that in Lake Charles in addition to the notices and procedures provided in new law, the city shall adopt additional notice requirements or other conditions by ordinance which must be met before allowing a possessor to occupy and possess blighted property. These additional requirements may relate to the following matters, among any others not prohibited by the constitution:

- (1) Notice of any hearing.
- (2) Notice regarding any determination made in connection with the hearing.
- (3) The filing and recording of any document related to the hearing in the mortgage or conveyance records of the parish.

New law provides that a possessor of an immovable seeking to establish title to immovable property based on compliance with the requirements set forth in new law and in any applicable ordinance, may bring a possessory action pursuant to prior law, and to seek a judgment confirming his ownership of the blighted property in accordance with and to the full extent of the boundaries established by the record title of the prior record owner. The court will render a judgment declaring such possessor to be the record owner of the property upon sufficient proof that the possessor followed the procedures set forth in prior and new law and adopted by ordinance by the city.

Effective August 1, 2021.

(Amends R.S. 9:5633.1(A)(intro para); adds R.S. 9:5633.1(M) and (N))