

2022 Regular Session

HOUSE BILL NO. 549

BY REPRESENTATIVES BOYD, AMEDEE, BROWN, ROBBY CARTER, WILFORD
CARTER, GAROFALO, JEFFERSON, NELSON, AND SEABAUGH

HOUSING: Provides relative to certain deed restrictions

1 AN ACT

2 To amend and reenact R.S. 9:1141.8 and to enact R.S. 9:1122.103(C), 1131.5(C), and 2734,
3 relative to immovable property; to provide relative to restrictions on immovable
4 property; to prohibit restrictions based on race or religion; to provide relative to
5 condominium associations, timeshare associations, and homeowners associations;
6 to provide relative to community documents; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 9:1141.8 is hereby amended and reenacted and R.S. 9:1122.103(C),
9 1131.5(C), and 2734 are hereby enacted to read as follows:

10 §1122.103. Construction and validity of declaration and bylaws

11 * * *

12 C. Notwithstanding any law or agreement to the contrary, provisions in the
13 declaration and bylaws restricting conveyance based on race or religion shall be void
14 as provided by R.S. 9:2734.

15 * * *

16 §1131.5. Construction and validity of declaration

17 * * *

Present law (R.S. 9:1122.103) provides for the declaration and bylaws of condominium associations.

Proposed law retains present law and provides that no provision in the declaration or bylaws may restrict conveyance based on race or religion and provides that such provisions are void.

Present law (R.S. 9:1131.5) provides for timeshare plans.

Proposed law retains present law but provides that no provision in the plan may restrict conveyance based on race or religion and provides that such provisions are void.

Present law (R.S. 9:1141.8) provides for community documents of homeowners associations.

Proposed law retains present law but provides that no provision in the community documents may restrict conveyance based on race or religion and provides that such provisions are void.

Proposed law provides a general prohibition against any restrictive covenant based on race or religion in any conveyance of immovable property and provides that such provisions are void.

(Amends R.S. 9:1141.8; Adds R.S. 9:1122.103(C), 1131.5(C), and 2734)

Summary of Amendments Adopted by House

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

1. Remove requirements that restrictions that are void be "declared" as void.