

2022 Regular Session

HOUSE BILL NO. 818

BY REPRESENTATIVE HUGHES

PROPERTY/ABANDONED: Provides relative to administrative hearing procedures regarding blighted and abandoned property

1 AN ACT

2 To amend and reenact R.S. 13:2575(A)(2), (B)(2), (D)(2), and (F)(2), relative to  
3 administrative adjudication; to provide relative to blighted or abandoned property;  
4 to provide for procedures; to provide for exemptions for certain populations; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 13:2575(A)(2), (B)(2), (D)(2), and (F)(2) are hereby amended and  
8 reenacted to read as follows:

9 §2575. Blighted or abandoned property; public health, housing, fire code, building  
10 code and certain other ordinance violations; administrative adjudication;  
11 procedure; appeal; penalties

12 A.

13 \* \* \*

14 (2) For purposes of this Chapter, ~~except in any parish with a population of~~  
15 ~~more than three hundred thousand and less than four hundred thousand according to~~  
16 ~~the latest federal decennial census~~, "blighted property" shall have the same meaning  
17 as provided in R.S. 33:1374(B)(1), and "abandoned property" shall have the same  
18 meaning as provided in R.S. 33:4720.59(D)(2).

19 B.

20 \* \* \*

1           (2) ~~Except in any parish with a population of more than three hundred~~  
2           ~~thousand and less than four hundred thousand according to the latest federal~~  
3           ~~decennial census, any~~ Any municipality or parish that adopts an ordinance  
4           establishing an administrative adjudication hearing procedure for determining  
5           property to be blighted or abandoned, shall provide notice to the property owners and  
6           to all mortgagees of record as provided in Paragraphs (D)(2) and (F)(2) of this  
7           Section.

\* \* \*

D.

\* \* \*

11           (2) ~~Except in any parish with a population of more than three hundred~~  
12           ~~thousand and less than four hundred thousand according to the latest federal~~  
13           ~~decennial census, prior~~ Prior to holding an administrative hearing for the  
14           determination of blight or abandonment of property, the municipality or parish shall  
15           notify the property owner and each mortgagee of record in the parish mortgage  
16           records, at least thirty days in advance of the date of the administrative hearing. The  
17           notification shall state the time, date, and location of the hearing, the location of the  
18           subject property, and an explanation that the hearing is for the purpose of making a  
19           determination whether the subject property is blighted or abandoned. The notice  
20           shall be sent by certified or registered United States mail or personally served on the  
21           property owner at the address listed in the assessor's office of the municipality or  
22           parish, and on each mortgagee of record at the address provided in the recorded  
23           mortgage.

\* \* \*

F.

\* \* \*

27           (2) ~~Except in any parish with a population of more than three hundred~~  
28           ~~thousand and less than four hundred thousand according to the latest federal~~  
29           ~~decennial census, within thirty days, excluding legal holidays, after~~ After the hearing

1 to determine whether a property is blighted or abandoned, the hearing officer shall  
 2 send written post hearing notice to the property owner and each mortgagee of record  
 3 explaining whether the hearing officer determined the subject property to be blighted  
 4 or abandoned and state whether any fine, penalty, costs, or fees are assessed. The  
 5 post hearing notice shall be sent to the property owner and mortgagees of record in  
 6 the manner provided for in Paragraph (D)(2) of this Section.

7 \* \* \*

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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)]

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HB 818 Engrossed	2022 Regular Session	Hughes
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**Abstract:** Removes the population limitation regarding blighted and abandoned property administrative procedures.

Present law provides that any municipality or parish may prescribe civil fines for blighted property, abandoned property, or properties in violation of public health, housing, fire code, environmental, or historical district ordinances.

Present law provides an exception from present law for any parish with a population of more than 300,000 and less than 400,000 according to the latest federal decennial census. In both 2010 and 2020, this was and is the population in the municipality of New Orleans.

Proposed law changes present law to remove the population exception.

(Amends R.S. 13:2575(A)(2), (B)(2), (D)(2), and (F)(2))