
DIGEST

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HB 370 Original

2023 Regular Session

Landry

Abstract: Relative to criminal blighting of property, amends the definition of the crime and provides relative to penalties.

Present law provides for the crime of criminal blighting of property and defines such crime as the intentional or criminally negligent permitting of the existence of a condition of deterioration of property by the owner, which is deemed to have occurred when the property has been declared or certified as blighted after an administrative hearing pursuant to present law and after all reviews or appeals have occurred.

Proposed law amends the definition of the crime to provide relative to commercial or large-scale residential buildings. Further removes the requirement for the property to be declared or certified as blighted after all reviews or appeals have occurred.

Present law provides for the following penalties:

- (1) On a first conviction, the offender shall be fined not more than \$500. Imposition of such fine may be suspended, and in lieu of, the court may require the offender to correct all existing housing violations on the blighted property.
- (2) On a second conviction, the offender shall be fined not more than \$500 and ordered to perform not more than 40 hours of community service. Additionally, the court shall require the offender to correct all existing housing violations on the blighted property.
- (3) On a third or subsequent conviction, the offender shall be fined not more than \$2,000 and ordered to perform not more than 80 hours of community service, or both. Additionally, the court shall require the offender to correct all existing housing violations on the blighted property.

Proposed law amends the present law penalties to provide for the following:

- (1) On a first conviction, the offender shall be fined not more than \$500 per violation. Imposition of such fine may be suspended, and in lieu of, the court may require the offender to correct all existing housing violations on the blighted property within a timely manner determined by the court.
- (2) On a second conviction, or if the offender fails to correct violations after ordered by the

court, the offender shall be fined not more than \$1,000 per violation and imprisoned for not more than six months. Additionally, the court shall require the offender to correct all existing housing violations on the blighted property.

- (3) On a third or subsequent conviction, or if the offender fails to correct all violations after a second conviction, the offender shall be fined not more than \$2,000 per violation, and imprisoned with or without hard labor for not more than five years.

Present law provides that upon a second or third conviction, the court is authorized to order the offender to occupy the blighted property for a designated period of not more than 60 days.

Proposed law repeals present law.

Proposed law provides that prosecution may occur concurrently with review and appeal of declarations and certifications of blight.

(Amends R.S. 14:107.3(B) and (C); Adds R.S. 14:107.3(H); Repeals R.S. 14:107.3(D))