
DIGEST

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HB 370 Reengrossed

2023 Regular Session

Landry

Abstract: Provides relative to penalties for criminal blighting of property.

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 retains the present law definition of the crime and 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 for not more than one year.

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))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Relative to a third or subsequent conviction for criminal blighting of property, provide for imprisonment for not more than one year.

The House Floor Amendments to the engrossed bill:

1. Remove proposed law relative to the definition of criminal blighting of property applying to commercial or large-scale residential buildings and restore the present law definition of criminal blighting of property.