

2024 Regular Session

HOUSE BILL NO. 100

BY REPRESENTATIVE CARLSON

COURTS: Provides relative to jurisdiction of city and parish courts over eviction proceedings

1 AN ACT

2 To amend and reenact Code of Civil Procedure Article 4844 and R.S. 13:1443(B), relative
3 to civil jurisdiction for parish and city courts; to remove the jurisdictional amounts
4 in eviction proceedings; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 4844 is hereby amended and reenacted
7 to read as follows:

8 Art. 4844. Amount in dispute; eviction proceedings

9 ~~A. Except as otherwise provided in this Article, a parish court or city court~~
10 ~~shall have jurisdiction, concurrent with the district court, over suits by owners and~~
11 ~~landlords for the possession of leased premises as follows:~~

12 ~~(1) When the lease is by the day and the daily rental is one hundred fifty~~
13 ~~dollars or less.~~

14 ~~(2) When the lease is by the week and the weekly rental is five hundred~~
15 ~~dollars or less.~~

16 ~~(3) When the lease is by the month and the monthly rental is three thousand~~
17 ~~dollars or less.~~

18 ~~(4) When the lease is by the year and the annual rental is thirty-six thousand~~
19 ~~dollars or less.~~

1 within its territorial jurisdiction, ~~as follows:~~ in accordance with Code of Civil
2 Procedure Article 4844.

3 (a) ~~When the amount of the rental does not exceed the jurisdictional amounts~~
4 ~~provided in Code of Civil Procedure Article 4844(A).~~

5 (b) ~~When the suit is to evict an occupant, as defined by Article 4704 of the~~
6 ~~Code of Civil Procedure, if the annual value of the right of occupancy does not~~
7 ~~exceed the amount in dispute to which the jurisdiction of the court is limited by~~
8 ~~Subsection A of this Section.~~

9 (2) ~~In computing the jurisdictional amount for purposes of eviction suits, the~~
10 ~~daily, weekly, monthly, annual, or other rental provided by the lease, exclusive of~~
11 ~~interest, penalties, or attorney fees shall determine the amount in dispute.~~

12 * * *

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)]

HB 100 Engrossed 2024 Regular Session Carlson

Abstract: Removes the jurisdictional amounts for eviction proceedings in city and parish courts.

Present law provides that a parish court or city court shall have jurisdiction, concurrent with the district court, in eviction proceedings based on the value of the lease or the annual value of the right of occupancy.

Present law provides that the City Court of East St. Tammany is concurrent with the district court in cases where the amount in dispute or the value of the property involved does not exceed \$50,000, and over suits by owners and landlords of leased premises.

Present law authorizes the City Court of Hammond to have jurisdiction over suits by owners and landlords for the possession of leased premises when the lease is by the month and the monthly rental is \$5,000 or less.

Proposed law removes the jurisdictional amounts for eviction proceedings in city and parish courts, and provides that a parish court or city court shall, within its territorial jurisdiction, have jurisdiction, concurrent with the district court, over the following matters, regardless of the amount of daily, monthly, or yearly rent or the rent for the unexpired term of the lease or the annual value of the right of occupancy:

- (1) Suits by owners and landlords for the possession of leased premises.
- (2) Suits by landowners or lessors for eviction of occupants or tenants of leased residential premises.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

- (3) Suits to evict an occupant as defined by Article 4704.
- (4) Suits by landowners or lessors for the eviction of occupants or tenants of leased commercial premises and leased farmlands.

(Amends C.C.P. Art. 4844 and R.S. 13:443(B))