

2024 Regular Session

SENATE BILL NO. 470

BY SENATOR CLOUD

TRESPASS. Provides relative to criminal trespass. (8/1/24)

1 AN ACT

2 To amend and reenact R.S. 14:63(C)(2) and to enact R.S. 14:63(K), relative to criminal
3 trespass; to provide that occupants who fail to obey an order to vacate within five
4 days commit criminal trespass; to provide that a squatter commits criminal trespass
5 if he fails to vacate after being directed to do so by a lawful possessor; to provide for
6 injunctive relief; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:63(C)(2) is hereby amended and reenacted and R.S. 14:63(K) is
9 hereby enacted to read as follows:

10 §63. Criminal trespass; squatters

11 * * *

12 C. * * *

13 (2) For purposes of this Subsection, ~~the phrase:~~

14 (a)"remain **Remain** in or upon property" ~~as used in this Subsection,~~ in
15 addition to its common meaning, signification, and connotation, ~~shall include~~
16 includes:

17 (i) The continued presence of an occupant, as defined by Code of Civil

Present law provides that criminal trespass occurs when a person enters or remains on immovable property, or in a structure, watercraft, or movable owned by another without express, legal, or implied authorization.

Proposed law provides that an occupant commits criminal trespass when he remains on immovable property for more than five days after being served with a written notice to vacate in accordance with present law relative to eviction of tenants and occupants. Proposed law also provides that a squatter commits the crime of criminal trespass when he fails to vacate immovable property after being directed to do so by the rightful possessor. Proposed law defines "squatter."

Proposed law otherwise retains present law.

Proposed law provides that an owner or good faith possessor of immovable property may petition the court for a temporary restraining order and injunction to enjoin a trespass committed by certain persons. Proposed law also provides that a person who violates an injunction issued pursuant to proposed law will be subject to contempt of court.

Effective August 1, 2024.

(Amends R.S. 14:63(C)(2); adds R.S. 14:63(K))