

GREEN SHEET REDIGEST

HB 147

2024 Regular Session

Glorioso

PARISH/ORDINANCES: Provides relative to administrative adjudication procedures in the city of Slidell.

DIGEST

Present law authorizes municipalities and parishes to prescribe civil fines for violations of certain types of ordinances, including housing ordinances. Present law defines the term "housing violation" as only those conditions in privately owned structures which are determined to constitute a threat or danger to the public health, safety, or welfare or to the environment or a historic district. Present law further provides that in municipalities with a population of 70,000 or more and in other specified parishes and municipalities, the term shall also encompass building codes, zoning, vegetation, and nuisance ordinances.

Proposed law provides that in the city of Slidell, the term "housing violation" also encompasses building codes, zoning, vegetation, and nuisance ordinances and ordinances that provide for the regulation of sewerage and drainage systems.

Present law authorizes municipalities and parishes to adopt ordinances establishing an administrative adjudication procedure for holding hearings related to present law violations. Additionally authorizes certain parishes and municipalities to use administrative adjudication procedures in matters involving licensing, permits, and other ordinance violations that may be determined by the respective parish or municipal governing authority.

Proposed law authorizes Slidell to use administrative adjudication procedures in matters involving licensing, permits, and other ordinance violations as determined by the municipal governing authority.

Proposed law provides procedures for judicial review of decisions of the adjudication hearing officer in Slidell as follows:

- (1) Provides for appeal by filing a petition with the district court within 30 days after the decision of the hearing officer.
- (2) Authorizes the court to allow a writ of certiorari directed to the hearing officer to review the decision. Provides that the allowance of the writ does not stay the proceedings or any enforcement unless the person who files the appeal furnishes security in the amount sufficient to assure satisfaction of the fine, fee, penalty, costs of the hearing, and costs, if any, of correcting the violation.
- (3) The hearing officer's return to the court shall concisely set forth pertinent and material facts.
- (4) Authorizes the court to take additional testimony or to appoint a referee to take such testimony.
- (5) Provides that the court may reverse or affirm, wholly or in part, or may modify the decision.

(Adds R.S. 13:2575.2.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the engrossed bill

- 1. Makes technical changes.