
DIGEST

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HB 446 Original

2025 Regular Session

Spell

Abstract: Provides relative to judicial review of local subdivision ordinances and certain acts of a governing authority, planning commission, or planning administrator.

Present law provides that the act of approving or disapproving a subdivision plat is a legislative function involving the exercise of legislative discretion by the planning commission subject to judicial review.

Present law provides for judicial review of a subdivision ordinance or act of the planning commission or planning commissioner on the grounds of abuse of discretion, unreasonable exercise of police powers, an excessive use of the power granted by present law, or denial of the right of due process.

Proposed law includes acts of the governing authority and provides for judicial review only on the grounds that such ordinance is arbitrary and capricious.

Proposed law provides that the judicial review of subdivision ordinances shall be confined to the record established before the governing authority, planning commission, or planning administrator whose decision is being appealed.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 33:101.1)