
HOUSE COMMITTEE AMENDMENTS

2025 Regular Session

Substitute for Original House Bill No. 301 by Representative Domangue as proposed by the House Committee on Transportation, Highways and Public Works

This document reflects the content of a substitute bill but is not in a bill form; page numbers in this document DO NOT correspond to page numbers in the substitute bill itself.

To amend and reenact R.S. 34:843(A)(1) and 852.23 and to enact R.S. 34:843(E) through (G) relative to abandoned vessels; to require the promulgation of rules and regulations for abandoned vessels; to authorize for removal by third parties; to provide a rebuttable presumption of ownership; to provide relative to consent of property owners for purposes of entering onto private property; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 34:843(A)(1) and 852.23 are hereby amended and reenacted and R.S. 34:843(E) through (G) are hereby enacted to read as follows:

§843. Objects; removal; disposition

A.(1) The owner of any tug, towboat, barge, watercraft, ship, vessel, equipment, machinery, or any object of any kind or description, whether foreign or domestic, which has been left unattended, stored, junked, or abandoned in any canal, coulee, drainage ditch, outfall canal, bayou, bay, lake, or any other waterway, whether navigable or not, or on the banks thereof within the state of Louisiana, or the owner of any such object moored or tied off in a drainage ditch or canal, or in an outfall canal shall ~~present a plan as provided herein to~~ remove the object from the waterway or bank within thirty days after receipt of a written notice by certified mail from the federal, state, or local governing authority having jurisdiction thereof, hereinafter referred to as "authority", to remove the object. For purposes of this Section, the owner shall be presumed to be the last known registrant of the vessel. This shall be a rebuttable presumption. In the event that the owner or registrant cannot be identified or located by the authority, the authority shall publish in the official journal of the parish where the object is located, a notice that the object shall

be removed ~~by the authority~~ at any time after thirty calendar days of publication of the notice at the cost of the owner and shall be disposed of ~~by the authority~~. If the object poses no immediate danger to life or property, the owner shall, within thirty days after receipt of notice by certified mail, present to the authority having jurisdiction over the matter, a plan for the removal of the object as soon as possible, considering factors of safety, cost, and efficiency in accomplishing the removal. The authority shall approve or reject the plan within thirty days from the date of submission by the owner.

* * *

E. In the event the object is not removed by the owner within the periods provided for in this Section, any third party may remove the object at their own expense and junk, discard, or otherwise dispose of the object or sell, exchange, or otherwise transfer ownership of the object to any person, corporation, or entity for any price or consideration.

F. The Department of Wildlife and Fisheries shall promulgate and adopt rules and regulations to provide a clear process for the following:

(1) Parties to obtain information regarding the registration or ownership of any vessel which has been deemed abandoned.

(2) Parties to obtain a salvage title and for selling any abandoned vessel that has been recovered.

(3) Notifying new registrants that they will be deemed as the owner and be held responsible if the vessel is deemed abandoned.

G. Nothing in this Section shall be construed to authorize entry onto private property without consent of the property owner.

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§852.23. Titling abandoned and salvaged vessels and outboard motors

The department ~~is authorized to~~ shall adopt rules and regulations pursuant to the Administrative Procedure Act to establish guidelines and procedures for the registration and titling of vessels or outboard motors which are abandoned, salvaged,

towed and stored abandoned vessels, court ordered transferred, and vessels or outboard motors which lack prior documentation of ownership.

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 Draft

2025 Regular Session

Abstract: Provides for the promulgation of rules and regulations for abandoned vessels, for the removal by third parties, and to provide a rebuttable presumption of ownership of vessels.

Present law provides the owner of any abandoned vessel must present a plan to remove the object within 30 days of notification to remove the object by the federal, state, or local governing authority with jurisdiction.

Proposed law provides a rebuttable presumption that the owner of a vessel is the last known registrant.

Present law provides that if the owner cannot be identified or located the authority can publish notice in the journal of the parish where the object is located that the object will be removed by the authority at the cost of the owner and be disposed of by the authority.

Proposed law retains the provisions of present law but removes the requirement that it be removed and disposed of by the authority.

Proposed law provides that if the object is not removed by the owner any third party can remove the object at their own expense and dispose of the object in any manner it wishes.

Proposed law requires the Dept. of Wildlife and Fisheries to promulgate and adopt rules and regulations to provide a clear process for the following:

- (1) Parties to obtain information regarding the registration or ownership of any vessel that has been deemed abandoned.
- (2) Parties to obtain a salvage title and for selling any abandoned vessel that has been recovered.
- (3) Notifying new registrants that they will be deemed as the owner and be held responsible for any vessel deemed abandoned.

Proposed law clarifies that nothing in proposed law authorizes entry onto property without the consent of the property owner.

Present law authorizes the dept. to adopt rules and regulations for establishing guidelines and procedures for registering and titling vessels or outboard motors that are abandoned, salvaged, towed and stored abandoned vessels, court-ordered transferred, or lacking proper ownership documentation.

Proposed law requires the dept. to adopt the rules and regulations for establishing the guidelines and procedures provided by present law.

(Amends R.S. 34:843(A) and 852.23; Adds R.S. 34:843(E) through (G))