
DIGEST

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HB 234 Engrossed

2025 Regular Session

Mandie Landry

Abstract: Provides relative to the criminal blighting of property.

Present law (R.S. 14:107.3) provides for the crime of criminal blighting of property.

Proposed law retains present law.

Present law (R.S. 14:107.3(A)(1)) defines the term "blighted property" as commercial or residential premises, including lots, which have been declared vacant, uninhabitable, and hazardous by an administrative hearing officer acting pursuant to present law (R.S. 13:2575 or 2576) or other applicable law.

Present law further provides that such premises may include premises which, because of their physical condition, are considered hazardous to persons or property, have been declared or certified blighted, and have been declared to be a public nuisance by an administrative hearing officer acting pursuant to present law (R.S. 13:2575 or 2576), or any other applicable law.

Proposed law amends present law to define "blighted property" as any vacant or occupied immovable property that has been declared or certified as blighted or a public nuisance by a court of competent jurisdiction or by an administrative hearing officer acting pursuant to present law (R.S. 13:2575 or 2576), or any other applicable law.

Present law (R.S. 14:107.3(A)(3)) defines the term "public nuisance" as any garage, shed, barn, house, building, or structure, that by reason of the condition in which it is permitted to remain, may endanger the health, life, limb, or property of any person, or cause any hurt, harm, damages, injury, or loss to any person under certain conditions.

Proposed law retains present law and adds an apartment as a structure that may be considered a "public nuisance" when it endangers the health, life, limb, or property of any person, or causes any hurt, harm, damages, injury, or loss to any person under certain conditions.

Present law (R.S. 14:107.3(B)) provides that criminal blighting of property is the intentional or criminally negligent permitting of the existence of a condition of deterioration of property by the owner, which is deemed to have occurred when the property has been declared or certified as blighted after an administrative hearing, pursuant to present law (R.S. 13:2575 or 2576).

Proposed law amends present law to add an alternative element to criminal blighting of property

when the property has been declared or certified as a public nuisance. Further clarifies that an administrative hearing officer may render such declaration or certification.

Present law (R.S. 33:1374) provides for the enforcement of health, safety, and welfare ordinances of Orleans Parish.

Proposed law retains present law.

Present law (R.S. 33:1374(B)(1)) defines the term "blighted property" as commercial or residential premises, including lots, which are vacant, uninhabitable, and hazardous and because of their physical condition, are considered hazardous to persons or property, or have been declared or certified blighted, and have been declared to be a public nuisance by a court of competent jurisdiction or by an administrative hearing officer acting pursuant to competent jurisdiction or by an administrative hearing officer acting pursuant to present law (R.S. 13:2575 et seq.), or any other applicable law.

Proposed law amends present law to define "blighted property" as any vacant or occupied immovable property that has been declared or certified blighted, and has been declared to be a public nuisance by a court of competent jurisdiction, an administrative hearing officer acting pursuant to competent jurisdiction, or an administrative hearing officer acting pursuant to present law (R.S. 13:2575 et seq.), or any other applicable law.

(Amends R.S. 14:107.3(A)(1) and (3)(intro. para.) and (B) and R.S. 33:1374(B)(1))