

SENATE COMMITTEE AMENDMENTS

2025 Regular Session

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original  
Senate Bill No. 63 by Senator Jenkins

AMENDMENT NO. 1

On page 1, line 6, delete "municipal ordinances for"

AMENDMENT NO. 2

On page 1, line 7, after "fees;" insert the following:

"to provide relative to written demand; to provide relative to delivery and  
application of payment; to provide relative to sworn detailed statements;"

AMENDMENT NO. 3

On page 1, line 14, after "**Municipal powers;**" insert "**demand; sworn detailed statement**"

AMENDMENT NO. 4

On page 2, line 4, after "**development**" insert a period "." and delete "**, including an  
apartment**"

AMENDMENT NO. 5

On page 2, line 5, delete "**or condominium complex.**" and insert the following:

**"For purposes of this Section, multifamily residential property shall  
mean immovable property consisting of more than four dwelling units occupied  
by persons other than the owner of the immovable property."**

AMENDMENT NO. 6

On page 2, delete lines 6 through 25, and insert the following:

**"B. When an owner of a multifamily residential property with a master  
meter service agreement fails to pay the service charge or user fee for the  
sewage disposal or water system services, a municipal governing authority  
seeking to collect the past due amounts owed shall make written demand by any  
of the following:**

**(1) United States mail postage paid, or commercial courier as defined in  
Code of Civil Procedure Article 1313(D), to the mailing address designated by  
the owner.**

**(2) Electronic mail to the address designated by the owner.**

**(3) Hand delivery to the physical location of the multifamily residential  
property, if neither a mailing address nor an electronic mail address has been  
designated by the owner.**

**(4) Any other method reasonably calculated to provide notice to the  
owner.**

**C.(1) The owner shall have thirty days after the written demand to  
deliver payment for the amount owed to the municipal governing authority.**

**(2) The municipal governing authority shall apply any sums paid by the  
owner following delivery of the written demand to the balance owed.**

**(3) After expiration of the thirty-day period, the municipal governing  
authority may file a sworn detailed statement of privilege in accordance with  
this Section.**

**D. Upon the filing of a sworn detailed statement of privilege, the  
municipal governing authority shall have a privilege upon the multifamily**

1 residential property. The privilege shall secure unpaid service charges, user  
2 fees, together with interest thereon at the legal interest rate from the date due.

3 E.(1) The sworn detailed statement of privilege shall be signed and  
4 verified by a municipal official with knowledge of the unpaid service charges or  
5 user fees for sewage disposal or water system services and filed for registry in  
6 the mortgage records of the parish where the multifamily residential property  
7 is located. The statement of privilege shall include all of the following:

8 (a) Complete property description of the applicable multifamily  
9 residential property.

10 (b) Name of the recorded owner the date that the service charges or user  
11 fees became delinquent.

12 (c) Statement of the amount of unpaid service charges or user fees owed  
13 for sewage disposal or water system services.

14 (d) Date the written demand was made upon the owner.

15 (2) A privilege pursuant to this Section is effective from the time the  
16 statement of privilege is filed for registry in the mortgage records and, except  
17 as otherwise provided in the Private Works Act, R.S. 9:4801 et seq., is preferred  
18 in rank to all mortgages, privileges, and other rights that become effective  
19 against third persons after recordation of the privilege authorized pursuant to  
20 this Section.

21 (3) The effect of recordation of a statement of privilege filed under this  
22 Section shall cease in accordance with Civil Code Article 3357 and may be  
23 reinscribed in accordance with applicable law.