

SENATE BILL NO. 198

BY SENATOR MIZELL AND REPRESENTATIVE KNOX

1 AN ACT

2 To amend and reenact R.S. 25:742, relative to historic preservation districts; to provide
 3 relative to historic district commission powers; to provide relative to bid
 4 requirements; to provide relative to a certificate of appropriateness from the historic
 5 preservation district commission; to provide relative to a historic preservation
 6 commission authorization to institute civil proceedings in certain circumstances; and
 7 to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 25:742 is hereby amended and reenacted to read as follows:

10 §742. Applicability of historic district commission powers

11 A. It is the intent and purpose of this Chapter that the regulatory powers
 12 conferred by it on an historic preservation district commission, created under its
 13 authority, shall apply to all ~~private~~ property, in the area controlled by it, including
 14 all buildings, structures, areas, sites, and their adjuncts and appurtenances, insofar
 15 as they constitute part of the entirety or tout ensemble of the historic section. Any
 16 governmental agency of the state or local government, other than the governing
 17 body, having a responsibility for any building, structure, area, site, public way and
 18 their adjuncts and appurtenances within the historic preservation site shall seek the
 19 advice of the historic district commission prior to the initiation of ~~any substantive~~
 20 ~~change, modification, renovation, restoration or construction~~ **a new construction**
 21 **project in the locally designated historic district.**

22 **B. Except for state infrastructure projects, a state or local governmental**
 23 **agency shall not commence a new construction project within a locally**
 24 **designated historic district or at a locally designated landmark unless a**
 25 **certificate of appropriateness has been issued by the historic preservation**
 26 **district commission with jurisdiction over the locally designated historic district**
 27 **or locally designated landmark, unless the commission waives this requirement.**

1 **For purposes of this Section, a new construction project shall mean the creation**
2 **of an entirely new building or structure that will be permanently attached to the**
3 **ground.**

4 **C. A historic preservation district commission is authorized to institute**
5 **civil cause of action, including for injunctive relief, to enforce the provisions of**
6 **this Section.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____