
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Julie J. Baxter.

DIGEST

Present law provides that any municipality or parish may prescribe civil fines for violation of public health, house, fire code, environmental, and historic district ordinances in the municipality or parish by owners of immovable property, their agents, tenants, or representatives pursuant to the procedures for administrative adjudication provided in the present law.

Proposed law retains present law and adds violations for building code, zoning, vegetation, and nuisance ordinances.

Present law provides that in municipalities with a population of 70,000 or more, "housing violation" shall include building codes, zoning, vegetation and nuisance ordinances. Proposed law deletes present law.

Present law provides that any liens against immovable property as a result of such violations shall be included in the next annual ad valorem tax bill and all be paid along with such taxes, subject to any valid homestead exemption. Further provides that failure to pay such liens shall cause the immovable property in or on which the violation occurred to be subject to the same provisions of law as govern tax sales of immovable property, except that, in municipalities with populations in excess of 300,000, when the immovable property has been declared blighted or a public nuisance by an administrative hearing officer, the property owners and other parties having interests in the property shall not have a right of redemption.

Proposed law removes the limitation making the exception apply only to municipalities with populations in excess of 300,000, so that the exception under proposed law would now apply to all municipalities and parishes.

Present law provides that, in municipalities with populations in excess of 300,000, failure to pay certain liens shall cause such liens and privileges to be subject to enforcement in accordance with R.S. 13:2576.

Proposed law removes present reference to municipalities with populations in excess of 300,000, so that failure to pay certain liens in any municipality or parish shall cause such liens and privileges to be subject to enforcement in accordance with R.S. 13:2576.

Present law references administrative adjudication of public health, housing, fire code, environmental and historic district violations.

Proposed law adds references to administrative adjudication of building code, zoning, vegetation and nuisance violations.

Present law provides that in each municipality having a population of 300,000 or more, the failure to pay liens, privileges, judicial mortgages and any fines, fees, penalties or hearing costs imposed pursuant to R.S. 13:2575 shall cause the lien, privileges, judicial mortgages and any fines, fees, penalties or hearing costs to be enforceable pursuant to certain provisions listed.

Proposed law removes reference to municipalities having a population of 300,000 or more, making present law applicable to any municipality or parish.

Proposed law provides that if property for which tax sale title was acquired and held by a political subdivision pursuant to R.S. 47:2196 is sold pursuant to the present and proposed law, upon recordation of such sale the property shall no longer be deemed adjudicated property. For purposes of any rights of redemption required pursuant to state law, the redemption period shall be deemed to have commenced on the date of the recordation of the initial adjudication to the political subdivision and not on the date of sale pursuant to the present and proposed law.

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

(Amends R.S. 13:2575(A) and (C)(2) and 2576(A)(intro para); adds R.S. 13:2576(A)(7))