
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 51 by Senator Long

1 AMENDMENT NO. 1

2 On page 1, line 2, delete "and (C)(2)" and insert ", (B), (C)(2), (D), (F) and (H)"

3 AMENDMENT NO. 2

4 On page 1, at the end of line 3, after "for" insert "blighted or abandoned property,"

5 AMENDMENT NO. 3

6 On page 1, line 5, delete "remove" and insert "provide"

7 AMENDMENT NO. 4

8 On page 1, line 11, delete "and (C)(2)" and insert ", (B), (C)(2), (D), (F) and (H)"

9 AMENDMENT NO. 5

10 On page 1, line 14, delete "Municipalities and parishes; pPublic" and insert "Blighted or
11 abandoned property; public"

12 AMENDMENT NO. 6

13 On page 1, line 17, after "A." insert "(1)" and after "for" insert "blighted property,
14 abandoned property, or"

15 AMENDMENT NO. 7

16 On page 2, lines 1 and 2, delete "building code, zoning, vegetation, nuisance"

17 AMENDMENT NO. 8

18 On page 2, line 8, insert "In municipalities with a population of seventy thousand or more,
19 the term "housing violation" as used in this Chapter shall also encompass building codes,
20 zoning, vegetation, and nuisance ordinances."

21 AMENDMENT NO. 9

22 On page 2, between lines 12 and 13, and insert:

23 **"(2) For purposes of this Chapter, except in any parish with a population**
24 **of more than three hundred thousand and less than four hundred thousand**
25 **according to the latest federal decennial census, "blighted property" shall have**
26 **the same meaning as provided in R.S. 33:1374, and "abandoned property" shall**
27 **have the same meaning as provided in R.S. 33:4720.59.**

28 B.(1) Any municipality or parish may adopt an ordinance or ordinances
29 establishing an administrative adjudication hearing procedure under the provisions
30 of this Chapter. The ordinance or ordinances shall provide for a time period for
31 persons charged with owning blighted or abandoned property, or violating a
32 public health, housing, fire code, environmental, and historic district ordinance to
33 have a hearing under the provisions of this Chapter. The ordinance shall provide for
34 the appointment of one or more hearing officers who may be the director of health
35 of the municipality or parish or the health officer of the parish in which the
36 municipality is located or the designee of such official or, in the discretion of the

governing authority, who may be a person who shall have been licensed to practice law in Louisiana for two years.

(2) Except in any parish with a population of more than three hundred thousand and less than four hundred thousand according to the latest federal decennial census, any municipality or parish that adopts an ordinance establishing an administrative adjudication hearing procedure for determining property to be blighted or abandoned, shall provide notice to the property owners and to all mortgage holders as provided in Subparagraphs (D)(2) and (F)(2) of this Section.

(3) Each municipality or parish shall have the authority to empower the hearing officer with authority to:"

AMENDMENT NO. 10

On page 2, line 20, after "that" insert "in municipalities with populations in excess of three hundred thousand according to the latest federal decennial census,"

AMENDMENT NO. 11

On page 3, delete line 9 and insert:

"D.**(1)** Prior to holding an administrative hearing for public health, housing, fire code, environmental, and historic district violations, the municipality or parish shall notify the property owner at least fifteen days in advance of the date that such a hearing is scheduled. This notification shall state the time, date, and location of the hearing, the alleged violations, and it shall be sent by certified or registered United States mail to the violator or personally served on the violator at the address as listed in the assessor's office of the municipality or parish. The date of the postmark shall be deemed to be the date of delivery. Any notification so sent and returned by the United States Post Office shall be considered as having fulfilled the notification requirement. Failure of any person charged with a violation to appear at the hearing shall be considered an admission of liability for the charged violation. Any order compelling the attendance of witnesses or the production of documents may be enforced by the city or municipal court of the municipality or the parish court in whose jurisdiction the municipality is located, or in the parish court of the parish initiating the action.

(2) Except in any parish with a population of more than three hundred thousand and less than four hundred thousand according to the latest federal decennial census, prior to holding an administrative hearing for the determination of blight or abandonment of property, the municipality or parish shall notify the property owner and all current mortgage holders holding a mortgage recorded in the parish mortgage records, at least fifteen days in advance of the date of the administrative hearing. The notification shall state the time, date, and location of the hearing, the location of the subject property, and an explanation that the hearing is for the purpose of making a determination whether the subject property is blighted or abandoned. The notice shall be sent by certified or registered United States mail or personally served on the property owner at the address listed in the assessor's office of the municipality or parish, and on each mortgage holder at the address provided in the recorded mortgage.

* * *

F.**(1)** The hearing officer shall issue an order within thirty days, excluding legal holidays, of the hearing stating whether or not the person charged is liable for the violation, and the amount of any fine, penalty, costs, or fee assessed against him, and a date by which the violation shall be corrected. In addition to the enforcement procedure and authority set forth in Paragraph (B)(2) of this Section, any order assessing a fine, penalty, costs, or fee or stipulating a correction date may be enforced by the city or municipal court of the municipality or the parish court in whose jurisdiction the municipality is located, or in the parish court of the parish initiating the action.

