Prior law provided 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. New law retains these provisions and adds civil fines for blighted or abandoned property.

New law provides for the definitions of blighted property and abandoned property.

New law exempts any parish whose populations is more than 300,000 and less than 400,000 from new law.

Prior law provided that any municipality or parish may adopt an ordinance or ordinances establishing an administrative adjudication hearing procedure under prior law.

New law provides that any municipality or parish may adopt an ordinance or ordinances establishing an administrative adjudication hearing procedure for blighted or abandoned property.

Prior law required that any liens against immovable property as a result of violations of prior law be included in the next annual ad valorem tax bill and all be paid along with the taxes, subject to any valid homestead exemption. Further provided that failure to pay the 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.

New law retains these provisions but removes the reference to municipalities with populations in excess of 300,000.

Prior law provided 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. New law removes 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.

Prior law provides that 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 15 days in advance of the date that such a hearing is scheduled. Further provided for the requirements of the notification.

New law provides that, except in any parish with a population of more than 300,000 and less than 400,000 according to the latest federal decennial census, prior to holding an administrative hearing for determination of blight or abandonment of property, the municipality or parish shall notify the property owner and each mortgagee of record at least 30 days in advance of the date that such a hearing is scheduled. Further provides for the requirements of the notification.

Prior law provides that a hearing officer will issue an order within 30 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.

New law provides that, except in any parish with a population of more than 300,000 and less than 400,000 according to the latest federal decennial census, within 30 days, excluding legal holidays, after the hearing to determine whether a property is blighted or abandoned, the hearing officer shall send written post hearing notice to the property owner and each mortgagee of record explaining whether the hearing officer determined the subject property to be blighted or abandoned and state whether any fine, penalty, costs, or fees are assessed.

Prior law provided that any person determined by the hearing officer to be in violation of a public health, housing, fire code, environmental, or historic district ordinance may appeal this determination to the appropriate district court and provides for the appeal process.

New law retains prior law and adds blighted or abandoned property determination to the prior law appeal process.

Prior law referenced administrative adjudication of public health, housing, fire code, environmental and historic district violations. New law retains these provisions and adds references to administrative adjudication of blighted or abandoned property.

Prior law provided 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 in prior law.

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

New 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 prior and new 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 prior and new law.

Effective upon signature of the governor (June 12, 2013).

(Amends R.S. 13:2575(A), (B), (C)(2), (D), (F) and (H) and 2576(A)(intro para); adds R.S. 13:2576(A)(7))