

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 549

2022 Regular Session

Boyd

HOUSING: Provides relative to certain deed restrictions

Synopsis of Senate Amendments

1. Provides for a procedure for a board of a residential planned community to remove any restriction, covenant, or condition limiting the conveyance of immovable property from its community documents.
2. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Proposed law (R.S. 9:2734) prohibits the enforceability of immovable property covenants that are restrictive on race or religion by providing that such provisions are void.

Present law (R.S. 9:1122.103) provides for the declaration and bylaws of condominium associations.

Proposed law retains present law and provides that no provision in the declaration or bylaws may restrict conveyance based on race or religion and provides that such provisions are void.

Present law (R.S. 9:1131.5) provides for timeshare plans.

Proposed law retains present law but provides that no provision in the plan may restrict conveyance based on race or religion and provides that such provisions are void.

Present law (R.S. 9:1141.8) provides for community documents of homeowners associations.

Proposed law retains present law but provides that no provision in the community documents may restrict conveyance based on race or religion and provides that such provisions are void.

Proposed law further provides that a residential planned community may, by a majority vote of full board membership, amend the community documents to remove any restriction, covenant, or condition prohibiting or limiting the conveyance, encumbrance, rental, occupancy, or use of immovable property on the basis of race, color, national origin, religion, sex, familial status, or maintains a trained guide dog or assistance animal because the individual has a disability recognized under present law.

Proposed law provides a general prohibition against any restrictive covenant based on race or religion in any conveyance of immovable property and provides that such provisions are void.

(Amends R.S. 9:1141.8; Adds R.S. 9:1122.103(C), 1131.5(C), and 2734)