

CONFERENCE COMMITTEE REPORT

HB 549

2022 Regular Session

Boyd

June 2, 2022

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 549 by Representative Boyd, recommend the following concerning the Engrossed bill:

- 1. That the set of Senate Committee Amendments by the Senate Committee on Judiciary A (#2958) be rejected.
- 2. That the set of Senate Floor Amendments by the Legislative Bureau (#3110) be rejected.
- 3. That the following amendments to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 2, between lines 13 and 14 insert the following:

"C. A residential planned community acting through a majority vote of its full board membership, instead of a majority approval of the owners, may amend the community documents for the purpose of removing any restriction, covenant, or condition that prohibits or limits the conveyance, encumbrance, rental, occupancy, or use of immovable property on the basis of race, color, religion, sex, disability, familial status, or national origin as defined in the Louisiana Equal Housing Opportunity Act."

Respectfully submitted,

Representative Delisha Boyd

Senator Barrow Peacock

Representative Gregory A. Miller

Senator Gary Carter Jr.

Representative Michael T. Johnson

Senator Robert Mills

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST

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Keyword and oneliner of the instrument as it left the House

HOUSING: Provides relative to certain deed restrictions

Report rejects Senate amendments which would have:

1. Added 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 that violates the federal Fair Housing Act.

Report amends the bill to:

1. Added a procedure for a board of a residential planned community to remove any restriction, covenant, or condition limiting the conveyance of immovable property due to classes protected under the Louisiana Equal Housing Opportunity Act.

Digest of the bill as proposed by the Conference Committee

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.

Present law (R.S. 51:2601) provides for the Louisiana Equal Housing Opportunity Act.

Proposed law provides for a residential planned community to act through a majority vote of its full board membership to amend community documents limiting the conveyance of immovable property on the basis of race, color, religion, sex, disability, familial status, or national origin, as defined by the Louisiana Equal Housing Opportunity Act.

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