

SENATE BILL NO. 295

BY SENATORS MURRAY AND DORSEY

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A JOINT RESOLUTION

Proposing to add Article I, Section 4(H)(5) of the Constitution of Louisiana, relative to property; to provide relative to the right to property; to provide relative to the taking of property for certain purposes; to specify an election for submission of the proposition to electors; and to provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state, for their approval or rejection in the manner provided by law, a proposal to add Article I, Section 4(H)(5) of the Constitution of Louisiana, to read as follows:

§4. Right to Property

Section 4.(A)

* * *

(H)(1)

* * *

(5) The provisions of this Paragraph shall not apply when property is taken pursuant to Subsubparagraph (B)(2)(c) of this Section.

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on November 4, 2008.

Section 3. Be it further resolved that on the official ballot to be used at said election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall read as follows:

1 To provide an exception to requirements of first refusal by the owner prior
2 to sale and certain procedures for declaration of property as surplus property,
3 when property is taken for the public purpose of removal of a threat to public
4 health or safety caused by the existing use or disuse of the property. (Adds
5 Article I, Section 4(H)(5))

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES