

2018 Regular Session

HOUSE BILL NO. 794

BY REPRESENTATIVE HALL

TRANSPORTATION DEPT: Provides relative to excess immovable property not purchased at public or private sale

1 AN ACT

2 To amend and reenact R.S. 48:221(A)(4)(introductory paragraph) and (b), relative to excess
3 immovable property not purchased at public or private sale; to change the
4 governmental entity the Department of Transportation and Development may convey
5 excess land that is not purchased at public or private sale; to provide for an effective
6 date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 48:221(A)(4)(introductory paragraph) and (b) are hereby amended
9 and reenacted to read as follows:

10 §221. Acquisition of balance of land in certain cases; disposition; exchange; excess
11 property

12 A.

13 * * *

14 (4) If excess immovable property authorized to be sold pursuant to this
15 Section is not purchased at public or private sale as provided ~~herein~~ in this Section,
16 or if the cost of advertisement is greater than the fair market value of the property so
17 that the property lacks a positive net value to the department, the secretary may,
18 within his discretion, do either of the following:

19 * * *

1 (b) Convey ownership of the property to any political subdivision in which
2 the property is located or to the ~~Department of Natural Resources~~ division of
3 administration.

4 * * *

5 Section 2. This Act shall become effective upon signature by the governor or, if not
6 signed by the governor, upon expiration of the time for bills to become law without signature
7 by the governor, as provided for in Article III, Section 18 of the Constitution of Louisiana.
8 If vetoed by the governor and subsequently approved by the legislature, this Act shall
9 become effective on the day following such approval.

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)]

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Abstract: Changes the governmental entity to which the Dept. of Transportation and Development (DOTD) may convey excess land that is not purchased at public or private sale.

Present law requires the secretary of the DOTD to convey ownership of excess immovable property authorized to be sold pursuant to present law that is not purchased at public or private sale to the Dept. of Natural Resources.

Proposed law modifies present law to require the excess immovable property be conveyed to the division of administration instead of the Dept. of Natural Resources.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 48:221(A)(4)(intro. para.) and (b))