

Regular Session, 2011

HOUSE BILL NO. 335

BY REPRESENTATIVES BROSSETT, ABRAMSON, ARNOLD, AUSTIN BADON,
BISHOP, HENDERSON, HINES, LEGER, MORENO, AND STIAES AND
SENATOR MORRELL

PROPERTY: Provides relative to property sold at tax sales in the city of New Orleans

1 AN ACT

2 To amend and reenact R.S. 47:2161, relative to the city of New Orleans; to provide relative
3 to property sold at tax sales in the city; to provide relative to improvements made to
4 abandoned or blighted property by a tax sale purchaser prior to redemption; to
5 require a person redeeming property to reimburse a tax sale purchaser for the costs
6 of improvements required to bring the property into compliance with one or more
7 municipal code ordinances; to provide relative to the maximum amount of
8 reimbursement; and to provide for related matters.

9 Notice of intention to introduce this Act has been published
10 as provided by Article III, Section 13 of the Constitution of
11 Louisiana.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 47:2161 is hereby amended and reenacted to read as follows:

14 §2161. Tax sale title; payment of taxes by purchaser; improvements by tax sale
15 purchaser

16 A. From the date of filing a tax sale certificate selling tax sale title to a tax
17 sale purchaser, all taxes on the property shall, after that date, be assessed to and paid
18 by the tax sale purchaser until the property, or any part, is redeemed. If redeemed,
19 the person redeeming shall pay all statutory impositions assessed upon the property

1 subsequent to the tax sale. The failure to assess the property in the name of the tax
2 sale purchaser shall not affect the validity of the tax sale.

3 B.(1) Notwithstanding any other provision of law to the contrary, in the city
4 of New Orleans, if a tax sale purchaser has made improvements to abandoned or
5 blighted property, as defined in R.S. 19:136.1, in order to bring the property into
6 compliance with one or more municipal code ordinances prior to the property being
7 redeemed, the person redeeming the property shall reimburse the tax sale purchaser
8 for the costs of all improvements required to bring the property into compliance with
9 any such ordinances. The maximum amount of reimbursement for improvements
10 shall be fifteen hundred dollars for abandoned property and three thousand dollars
11 for blighted property. The maximum amount shall be per property per year.

12 (2) In order to receive reimbursement for the costs of improvements, the tax
13 sale purchaser shall be required to file an affidavit and receipts in the mortgage
14 records of the parish documenting the costs of such improvements within sixty days
15 after receiving notice of redemption.

16 Section 2. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 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)]

Brossett

HB No. 335

Abstract: Relative to property sold at tax sales in the city of New Orleans, requires a person redeeming abandoned or blighted property to reimburse the tax sale purchaser for the costs of improvements required to bring the property into compliance with municipal code ordinances.

Present law requires, after the date of filing a tax sale certificate selling tax sale title to a tax sale purchaser, that all taxes on property be assessed to and paid by the tax sale purchaser until the property, or any part, is redeemed. Present law further requires the person redeeming the property to pay all statutory impositions assessed upon the property

subsequent to the tax sale. Provides that the failure to assess the property in the name of the tax sale purchaser shall not affect the validity of the tax sale.

Proposed law retains present law and additionally requires a person redeeming abandoned or blighted property in the city of New Orleans to reimburse the tax sale purchaser for the costs of improvements required to bring the property into compliance with municipal code ordinances. Provides that the maximum amount of reimbursement is \$1,500 for abandoned property and \$3,000 for blighted property per property per year. Prior to reimbursement, requires a tax sale purchaser to file an affidavit and receipts in the mortgage records of the parish documenting the costs of the improvements within 60 days after receiving notice of redemption.

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

(Amends R.S. 47:2161)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill.

1. Restricts reimbursement to the costs of improvements required to bring abandoned or blighted property into compliance with municipal code ordinances. Provides a maximum amount for reimbursement. Requires the tax sale purchaser to meet certain requirements prior to being reimbursed.