
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry G. Jones.

DIGEST

Proposed law authorizes the Ascension Parish governing authority to expropriate by a declaration of taking and provides procedures.

Proposed law provides that when the Ascension Parish governing authority cannot amicably acquire property needed for a major infrastructure, road, sewage or drainage project, it may acquire the same by expropriation and may acquire the property prior to judgment in the trial court fixing the amount of compensation due to the owner of the property. The expropriation of such property must first be approved by two-thirds of the elected membership of the parish council of the Ascension Parish government by the adoption of an ordinance declaring that the taking is necessary or useful.

Proposed law further provides that it shall not apply to nor authorize the expropriation of property for the purposes of bicycle facilities or paths.

Proposed law provides procedures for notice to owners, contents and filing of petition, vesting of title, contesting the validity of the taking, and conducting generally of expropriation in the same manner that DOTD expropriates property for highway purposes. Provides that "property" means any portion of immovable property including servitudes, rights-of-way, and other rights in or to immovable property.

Effective August 1, 2012.

(Adds R.S. 19:361-368)