

---

## 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)]

---

Lorusso

HB No. 654

**Abstract:** Provides for certain rights and procedures relative to the termination of residential leases for military personnel and their spouse.

Present law authorizes any active or reserve member of the armed forces of the U.S., including the National Guard and the U.S. Coast Guard to terminate his residential lease agreement if certain events occur.

Proposed law retains present law and extends authorization to terminate a residential lease to the husband or wife of the military member.

Proposed law provides for the termination of a residential lease if a member is injured requiring hospitalization of at least 15 days or has been killed while on active duty.

Present law provides relative to the procedures for terminating a rental agreement for certain members of the military as provided for in present law.

Proposed law retains present law.

Proposed law requires a member who is injured incidental to his service which requires hospitalization for more than 15 days to terminate a rental agreement by serving upon the lessor a written notice of termination to be effective on a date stated in the notice, which cannot be less than 30 days after the date the notice is served on the lessor.

Proposed law requires that the lessee furnish the lessor with clear and convincing evidence of the hospitalization or death of the service member, including but not limited to any of the following documents:

- (1) Hospitalization records or death certificate for the service member.
- (2) A statement from a Casualty Assistance Office from the United States Department of Defense, branch of the United States Armed Forces, or the Louisiana National Guard.
- (3) A statement from the service member's commanding officer.
- (4) A media release from the Department of Defense, branch of service, or military installation.

Proposed law provides for the lessee to be entitled to recover \$200 in damages in addition to any other damages or remedies and costs to which the lessee may be entitled if he establishes in a civil proceeding against the owner that a violation as provided in present law occurred.

(Amends R.S. 9:3261)

## Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill.

1. Specified that the spouse who can terminate a residential lease must be living together with the member in the same dwelling unit.

### House Floor Amendments to the engrossed bill.

1. Deleted provision that required that the spouse who can terminate a residential lease must be living together with the member in the same dwelling unit.
2. Specified that a service member or husband or wife may terminate a residential lease if the service member was injured incidental to his service and the injury required hospitalization for more than 15 days.
3. Provided that a letter from the service member's commanding officer is proper evidence of the hospitalization or death of the service member to qualify the service member or spouse to terminate a lease.