The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

DIGEST

SB 497 Original | 2018 Regular Session | Cortez

Present law authorizes the city of Lafayette and the parish of Lafayette to expropriate by a declaration of taking property needed for the Kaliste Saloom Road Widening Project.

Present law provides for all of the following:

(1) The governing authority shall give, at least, a 15-day notice to the property owner before filing a petition for expropriation.

(2) The governing authority shall file a petition, which includes an itemized statement of the full extent of the owner's loss.

(3) The court shall issue an order directing that the amount of the estimate be deposited in the registry of the court and declare that the property has been taken for the public purpose.

(4) Title to the property shall vest in the governing authority upon final court order, and the right to just and adequate compensation shall vest in the former property owner.

(5) Upon vesting of title the governing authority may take possession of the property.

(6) The former property owner may apply for a trial to determine the measure of compensation to which he is entitled by filing an answer within one year from the date he is notified in writing by the governing authority of the expropriation.

Present law defines "property", "governing authority", and "project".

Proposed law retains present law and authorizes the expropriation by a declaration of taking property needed for the construction, repair, or enhancement of drainage, roads, or bridges by the city of Lafayette and the parish of Lafayette.

Effective August 1, 2018.

(Amends R.S. 19:139(A) and (D))