

2021 Regular Session

SENATE RESOLUTION NO. 120

BY SENATOR BARROW

HOUSING. Continues the Task Force on Prevention of Human Degradation and Exploitation of Vulnerable Individuals in Community-Based Residential Settings.

1 A RESOLUTION

2 To continue the Task Force on Prevention of Human Degradation and Exploitation of
3 Vulnerable Individuals in Community-Based Residential Settings.

4 WHEREAS, through Senate Resolution No. 23 of the 2018 Second Extraordinary
5 Session, the Senate formed a task force to study and make recommendations relative to
6 current and proposed regulations necessary to protect nonrelated individuals residing in a
7 single dwelling from a property owner or landlord who acts without regard to basic rights
8 and responsibilities owed to his tenants; and

9 WHEREAS, after months of research and numerous public meetings, Senate Bill No.
10 218 of the 2019 Regular Session of the Legislature was filed to establish a minimum
11 standard for shared housing establishments, which included certain residency prohibitions
12 that were suggested to be in violation of the Fair Housing Act, 42 USC 3601 et seq.; and

13 WHEREAS, in an effort to clarify that Senate Bill No. 218 was not intended to
14 discriminate against any resident, it was amended in the Senate Committee on Health and
15 Welfare to establish a rental housing registry and apply to all rental properties regardless of
16 the unique characteristics of its residents; and

17 WHEREAS, this equal application to all rental properties drew insurmountable
18 opposition from landlords and property owners who would be subject to the rental housing

1 registry; and

2 WHEREAS, after meeting with the opposition and sincerely attempting to address
3 expressed concerns, Senate Bill No. 218 was amended on the Senate floor to limit the
4 requirement of the rental housing registry to single-family dwellings that were rented to four
5 or more unrelated adults, to exempt apartments, complexes, and residential dwellings
6 licensed by the Louisiana Department of Health and the Louisiana Department of Children
7 and Family Services, and to place all authority for implementation and enforcement with the
8 parish and municipal governing bodies to be accomplished by local ordinance; and

9 WHEREAS, even with these significant changes to Senate Bill No. 218, the
10 opposition was unwavering, and due to the short nature of a regular fiscal legislative session,
11 time did not allow for further negotiation; and

12 WHEREAS, the Task Force on Prevention of Human Degradation and Exploitation
13 of Vulnerable Individuals in Community-Based Residential Settings was continued and
14 otherwise provided for by Senate Resolution No. 203 of the 2019 Regular Session of the
15 Legislature and recreated by Senate Resolution No. 52 of the 2020 Second Extraordinary
16 Session of the Legislature and seeks to conclude the study and make recommendations to
17 the Senate with a legal and fair solution that works for all to the problem of unregulated
18 rental housing.

19 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana
20 does hereby continue and provide with respect to the Task Force on Prevention of Human
21 Degradation and Exploitation of Vulnerable Individuals in Community-Based Residential
22 Settings created by Senate Resolution No. 23 of the 2018 Second Extraordinary Session of
23 the Legislature, continued by Senate Resolution No. 203 of the 2019 Regular Session of the
24 Legislature, and recreated by Senate Resolution No. 52 of the 2020 Second Extraordinary
25 Session of the Legislature.

26 BE IT FURTHER RESOLVED that the task force shall continue to study the
27 following as set forth in its original charge:

28 (1) All present federal and state laws, rules, and regulations, as well as local
29 ordinances in existence, to protect vulnerable individuals from degradation and exploitation
30 by certain property owners or landowners.

1 (2) Any state laws, rules, and regulations or local ordinances proposed, as necessary,
2 to protect vulnerable individuals from degradation and exploitation by certain property
3 owners or landowners.

4 (3) Any proposals for regulation of community-based residential settings in which
5 nonrelated individuals reside in a single dwelling and the rent or fees paid to the property
6 owner or landowner are derived from government-funded assistance, such as social security
7 payments, Supplemental Nutrition Assistance Program (SNAP) food stamps, or other federal
8 or state stipends or subsidies.

9 (4) Any civil or criminal penalties to be assessed against a property owner or
10 landowner who manipulates, scams, exploits, or stockpiles individuals in unclean, unsafe,
11 overcrowded, and unhealthy community-based residential settings.

12 (5) Any transition or relocation plan for vulnerable individuals who reside in a
13 community-based setting that is deemed unclean, unsafe, overcrowded, and unhealthy.

14 (6) Any other recommendation deemed important by the task force to address this
15 matter.

16 BE IT FURTHER RESOLVED that the members of the task force shall continue
17 with their service.

18 BE IT FURTHER RESOLVED that the task force shall meet as often as is necessary
19 to fulfill its mission, and shall submit a report, including any legislative proposal, to the
20 Louisiana Senate on or before March 1, 2022.

21 BE IT FURTHER RESOLVED that the task force shall terminate on July 1, 2022.

22 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
23 secretary of the Louisiana Department of Health, the state health officer, the director of the
24 health standards section within the Louisiana Department of Health, the director of the adult
25 protective services section within the Louisiana Department of Health, the secretary of the
26 Department of Children and Family Services, the attorney general, the state fire marshal, the
27 executive director of the Louisiana Municipal Association, the executive director of the
28 Police Jury Association of Louisiana, the executive director of the Advocacy Center of
29 Louisiana, the executive director of the Louisiana Sheriffs' Association, the executive
30 director of the Louisiana District Attorneys Association, the president of the Building

1 Officials Association of Louisiana, the executive director of the Apartment Association of
 2 Louisiana, Inc., the executive director of the Louisiana Home Builders Association, the
 3 executive director of the Louisiana Housing Corporation, and the executive director of the
 4 Greater New Orleans Fair Housing Action Center.

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

DIGEST

SR 120 Original

2021 Regular Session

Barrow

Continues the Task Force on Prevention of Human Degradation and Exploitation of Vulnerable Individuals in Community-Based Residential Settings created by SR 23 of the 2018 2nd E.S., continued by SR 203 of the 2019 R.S., and recreated by SR 52 of the 2020 2nd E.S.

Provides for continued service of members of the task force which consists of the following 19 members:

- (1) The secretary of the LDH, or his designee.
- (2) The state health officer, or his designee.
- (3) The director of the health standards section within LDH, or his designee.
- (4) The director of the adult protective services section within LDH, or his designee.
- (5) The secretary of the DC&FS, or his designee.
- (6) The attorney general, or his designee.
- (7) The state fire marshal, or his designee.
- (8) The executive director of the La. Municipal Association, or his designee.
- (9) The executive director of the Police Jury Association of La., or his designee.
- (10) The executive director of the Advocacy Center of La., or his designee.
- (11) The executive director of the La. Sheriffs' Association, or his designee.
- (12) The executive director of the La. District Attorneys Association, or his designee.
- (13) One person appointed by the chair of the Senate Committee on Health and Welfare.
- (14) One person appointed by the chair of the Senate Committee on Judiciary C.
- (15) The president of the Building Officials Association of La., or his designee.
- (16) The executive director of the Apartment Association of Louisiana, Inc., or his designee.
- (17) The executive director of the Home Builders Association of La., or his designee.
- (18) The executive director of the La. Housing Corporation, or his designee.

- (19) The executive director of the Greater New Orleans Fair Housing Action Center, or his designee.

Requires the task force to meet as often as is necessary to fulfill its mission, and submit a report, including any legislative proposal, to the Senate on or before March 1, 2022.

Provides that the task force terminates July 1, 2022.