

2023 Regular Session

HOUSE BILL NO. 370

BY REPRESENTATIVE LANDRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CRIMINAL/PENALTIES: Provides relative to criminal blighting of property

1 AN ACT

2 To amend and reenact R.S. 14:107.3(B) and (C), to enact R.S. 14:107.3(H), and to repeal
3 R.S. 14:107.3(D), relative to criminal blighting of property; to provide relative to the
4 definition of criminal blighting of property; to provide relative to penalties for the
5 offense; to provide relative to review and appeal of declarations of certifications of
6 blight; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:107.3(B) and (C) are hereby amended and reenacted and R.S.
9 14:107.3(H) is hereby enacted to read as follows:

10 §107.3. Criminal blighting of property

11 * * *

12 B. Criminal blighting of property is the intentional or criminally negligent
13 permitting of the existence of a condition of deterioration of ~~property~~ a commercial
14 or large-scale residential building by the owner, which is deemed to have occurred
15 when the property has been declared or certified as blighted after an administrative
16 hearing, pursuant to R.S. 13:2575 or 2576, ~~and after all reviews or appeals have~~
17 ~~occurred.~~

18 C.(1) On ~~the~~ a first conviction, the offender shall be ~~punished by a fine~~ fined
19 ~~not to exceed more than~~ five hundred dollars per violation. Imposition of a fine may
20 be suspended and in lieu thereof, the court may require the offender to correct all

Present law provides for the following penalties:

- (1) On a first conviction, the offender shall be fined not more than \$500. Imposition of such fine may be suspended, and in lieu of, the court may require the offender to correct all existing housing violations on the blighted property.
- (2) On a second conviction, the offender shall be fined not more than \$500 and ordered to perform not more than 40 hours of community service. Additionally, the court shall require the offender to correct all existing housing violations on the blighted property.
- (3) On a third or subsequent conviction, the offender shall be fined not more than \$2,000 and ordered to perform not more than 80 hours of community service, or both. Additionally, the court shall require the offender to correct all existing housing violations on the blighted property.

Proposed law amends the present law penalties to provide for the following:

- (1) On a first conviction, the offender shall be fined not more than \$500 per violation. Imposition of such fine may be suspended, and in lieu of, the court may require the offender to correct all existing housing violations on the blighted property within a timely manner determined by the court.
- (2) On a second conviction, or if the offender fails to correct violations after ordered by the court, the offender shall be fined not more than \$1,000 per violation and imprisoned for not more than six months. Additionally, the court shall require the offender to correct all existing housing violations on the blighted property.
- (3) On a third or subsequent conviction, or if the offender fails to correct all violations after a second conviction, the offender shall be fined not more than \$2,000 per violation, and imprisoned with or without hard labor for not more than five years.

Present law provides that upon a second or third conviction, the court is authorized to order the offender to occupy the blighted property for a designated period of not more than 60 days.

Proposed law repeals present law.

Proposed law provides that prosecution may occur concurrently with review and appeal of declarations and certifications of blight.

(Amends R.S. 14:107.3(B) and (C); Adds R.S. 14:107.3(H); Repeals R.S. 14:107.3(D))