

RÉSUMÉ DIGEST

ACT 216 (HB 676)

2025 Regular Session

Domangue

Existing law provides the owner of any abandoned vessel must present a plan to remove the object within 30 days of notification to remove the object by the federal, state, or local governing authority with jurisdiction.

New law provides that concurrently with providing notice to the owner of an abandoned vessel, the authority must provide notice to any lien holder with a perfected mortgage under existing law.

New law provides that if the owner of a vessel has not been issued certification by the U.S. Coast Guard or the Dept. of Wildlife and Fisheries under existing law then there will be a rebuttable presumption that the owner of the vessel is the last known registrant.

Existing law provides that if the owner cannot be identified or located the authority can publish notice in the journal of the parish where the object is located that the object will be removed by the authority at the cost of the owner and be disposed of by the authority.

New law removes the requirement that it be removed and disposed of by the authority.

New law provides that if the object is not removed by the owner any third party can remove the object at their own expense and dispose of the object in any manner it wishes.

New law requires the Dept. of Wildlife and Fisheries to promulgate and adopt rules and regulations to provide a clear process for the following:

- (1) Parties to obtain information regarding the registration or ownership of any vessel that has been deemed abandoned if it is subject to requirements for certificates of documentation by the U.S. Coast Guard under existing law or is subject to titling or registration under existing law.
- (2) Parties to obtain information regarding holders of security interests or mortgages encumbering any vessel that has been deemed abandoned and has been issued certification by the U.S. Coast Guard or the Dept. of Wildlife and Fisheries under existing law.
- (3) Parties to obtain a salvage title and for selling any abandoned vessel that has been recovered.
- (4) Notifying new registrants that they will be deemed as the owner and be held responsible for any vessel deemed abandoned.

New law clarifies that nothing in new law authorizes entry onto property without the consent of the property owner.

Prior law authorizes the dept. to adopt rules and regulations for establishing guidelines and procedures for registering and titling vessels or outboard motors that are abandoned, salvaged, towed and stored abandoned vessels, court-ordered transferred, or lacking proper ownership documentation.

New law requires the dept. to adopt the rules and regulations for establishing the guidelines and procedures provided by existing law.

Effective August 1, 2025.

(Amends R.S. 34:843(A) and 852.23; Adds R.S. 34:843(E) - (G))