

RÉSUMÉ DIGEST

ACT 277 (HB 446)

2025 Regular Session

Spell

Existing law provides that the act of approving or disapproving a subdivision plat is a legislative function involving the exercise of legislative discretion by the planning commission subject to judicial review.

Existing law provides for judicial review of a subdivision ordinance or act of the planning commission or planning commissioner. New law includes acts of the governing authority.

Prior law provided for judicial review on the grounds of abuse of discretion, unreasonable exercise of police powers, an excessive use of the power, or denial of the right of due process.

New law provides for judicial review only on the grounds that the ordinance or act is arbitrary and capricious thereby constituting an abuse of discretion, unreasonable exercise of police powers, an excessive use of power, or denial of the right of due process.

New law provides that the judicial review shall be confined to the record established before the governing authority, planning commission, or planning administrator whose decision is being appealed.

Effective on signature of governor (June 11, 2025).

(Amends R.S. 33:101.1)