

2026 Regular Session

HOUSE BILL NO. 81

BY REPRESENTATIVE BOYER

PROPERTY: Provides relative to branches or roots of trees, bushes, or plants on neighboring property

1 AN ACT

2 To enact Civil Code Article 688.1, relative to branches and roots on neighboring property;
3 to authorize removal of branches and roots in certain circumstances; to require
4 notification; to provide for damages; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Civil Code Article 688.1 is hereby enacted to read as follows:

7 Art. 688.1. Removal of branches or roots of trees, bushes, or plants on neighboring
8 property; penalties

9 A. If a neighbor does not trim the branches or roots of his trees, bushes, or
10 plants that extend over or into a landowner's property after a demand for removal
11 pursuant to Article 688, the landowner may trim the branches or roots, at the
12 landowner's own expense, after the landowner sends a thirty-day written notification
13 to the neighbor via certified mail.

14 B. The written notification shall include the date, demand for removal, and
15 a statement that provides that if the neighbor does not remove the branches or roots,
16 the landowner shall proceed with removal after thirty days from the delivery of the
17 written notification.

18 C. A landowner who removes the branches or roots in violation of this
19 Article shall be liable for any damages to the neighbor's trees, bushes, or plants
20 caused by the removal.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 81 Original

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Boyer

Abstract: Permits the removal of a neighbor's branches and roots that extend beyond the property line in certain circumstances.

Present law (C.C. Art. 688) authorizes a landowner to demand removal of branches and roots extending into his property, at the expense of the neighbor, if it affects the enjoyment of the property.

Proposed law authorizes a landowner to trim the branches or roots, at the landowner's own expense, if the landowner sends a 30-day written notification via certified mail after the neighbor does not trim the branches or roots of his trees, bushes, or plants pursuant to present law (C.C. Art. 688).

Proposed law requires a written notification that includes the date, demand for removal, and a statement providing that if the neighbor does not remove the branches or roots, the landowner shall proceed with removal after 30 days from the delivery of the written notification.

Proposed law requires a landowner who removes the branches or roots in violation of proposed law be liable for any damages to the neighbor's trees, bushes, or plants caused by the removal.

(Adds C.C. Art. 688.1)