

2026 Regular Session

HOUSE BILL NO. 817

BY REPRESENTATIVE MCMAKIN

PROPERTY/IMMOVABLE: Establishes the Louisiana Homeowner Bill of Rights

1 AN ACT

2 To enact R.S. 9:1141.51, relative to homeowners associations; to provide for the Louisiana
3 Homeowner Bill of Rights; to provide a short title; to provide a purpose; to provide
4 for applicability; to provide for transparency and records; to provide for board
5 composition; to provide for meeting requirements; to provide for transparency; to
6 provide for vendor contracts; to provide for budgets, dues, and assessments; to
7 provide for liens and fines; to provide for enforcement; to provide for remedies; to
8 provide for education; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 9:1141.51 is hereby enacted to read as follows:

11 §1141.51. Homeowner Bill of Rights

12 A. This Section may be known and cited as the "Louisiana Homeowner Bill
13 of Rights".

14 B. The purpose of this Section is to protect the rights of homeowners in
15 planned communities governed by homeowners associations, promote transparency
16 and accountability in association operations, ensure fair governance, and balance the
17 interests of associations and members consistent with the Louisiana Planned
18 Community Act.

19 C. This Section applies to all associations as defined in R.S. 9:1141.2,
20 regardless of date of creation, unless expressly exempted in this Section.

1 Associations shall convert existing governing documents to conform to the
2 requirements of this Section.

3 D.(1) Every association shall establish an online homeowner portal
4 accessible to members for posting official records, meeting notices, and governing
5 documents. Associations with one hundred or more parcels shall also maintain a
6 dedicated website for the same purpose.

7 (2) Associations shall provide to each member a physical or digital copy of
8 the current declaration, bylaws, rules, and covenants and shall provide such
9 documents to new members within thirty days of purchase.

10 (3) Associations shall post complete governing documents on the
11 homeowner portal or association website and provide electronic or written notice to
12 members.

13 (4) Members shall have the right to inspect and copy association records,
14 including financials, minutes that exclude executive sessions, contracts, and
15 insurance policies, within fourteen business days of written request. For good cause
16 shown, records not subject to inspection or copy are personnel or medical
17 information, litigation matters, attorney-client privileged communications,
18 court-ordered confidential documents, individual owner files, unlisted contact
19 information, security data, and nondisclosure agreements.

20 (5) Associations shall retain ballots for one year and the following records
21 for at least seven years:

22 (a) Budgets.

23 (b) Monthly financial statements.

24 (c) Minutes.

25 (d) Owner lists.

26 (e) Governing documents.

27 (f) Tax returns.

28 (g) Contracts.

29 (h) Insurance policies.

1 E.(1) The executive board shall include at least a president, vice-president,
2 secretary, and treasurer.

3 (2)(a) Homeowners shall elect at least one member-at-large when fifty
4 percent of parcels in the first phase are sold to nondevelopers. A developer
5 maintains majority control until ninety percent of parcels in the final phase are sold,
6 after which, homeowners hold majority control with the developer retaining one
7 designated seat.

8 (b) If further development occurs after majority control by the homeowners,
9 homeowners retain majority control with the developer retaining the one seat.

10 (3) A developer shall notify members when ninety percent of parcels in the
11 final phase are sold and shall call a special meeting within ninety days for elections.

12 F.(1) Associations shall hold at least one annual meeting of members per
13 fiscal year with virtual options available for accessibility.

14 (2) Special meetings may be called by the president, majority of the board,
15 or twenty percent of members.

16 (3) Meeting notices and agenda items shall be posted conspicuously on the
17 homeowner portal or association website and sent via mail or e-mail at least
18 twenty-four hours in advance.

19 (4) Agendas shall be available twenty-four hours in advance and members
20 may speak on agenda items before action of the executive board.

21 G.(1) Contracts or services over ten thousand dollars require written bids
22 solicited from vendors.

23 (2) All contracts funded by the association require public bidding.

24 (3) Members may inspect management contracts with proper written notice.

25 H.(1) Annual budgets shall detail expenses which include but are not limited
26 to maintenance, utilities, insurance, and reserves, and be sent to members within ten
27 days of the start of the association's fiscal year with quarterly updates showing
28 expenditures, fines, and variances.

1 (2) Any surplus funds that are not on reserve shall be returned or credited to
2 the members.

3 (3) Any budgets and updates shall be filed with the Department of Justice,
4 office of the attorney general, and be retained by the association for five years.

5 (4) Dues shall be assessed proportionally by the total expenses divided by
6 the number of parcels unless amended by majority vote.

7 (5) Regular assessments shall not increase more than twenty percent
8 annually without member approval.

9 (6) Any increase in the budget or dues or unbudgeted expenditures over ten
10 thousand dollars requires a forty-eight hour notice to members. Any large
11 unbudgeted items require quorum approval.

12 I.(1) Liens for unpaid assessments require notice and prior good faith efforts
13 to resolve the issue. A judicial hearing shall prove delinquency by clear and
14 convincing evidence. There shall be no liens for fines and no foreclosure on liens
15 or fines.

16 (2) The developer is liable for legal fees for liens related to initial
17 development obligations.

18 (3) Fines require a schedule, dispute resolution process, notice, opportunity
19 for a hearing for at least ten days prior to the hearing, and decisions shall be in
20 writing. Fines are limited to one hundred dollars per violation at a maximum of two
21 thousand five hundred dollars for ongoing issues.

22 (4) There shall be no fines for garbage receptacles out less than twenty-four
23 hours beyond collection or for holiday decorations displayed beyond the rules unless
24 the member takes no action one week after a notice.

25 (5) Associations shall not prohibit parking of personal vehicles or
26 noncommercial work vehicles in driveways or first-responder vehicles on a public
27 street.

28 J. The attorney general shall collect, track, and publish data on homeowner
29 complaints against associations.

1 K. Associations that violate the provisions of this Section may be liable to
2 members or the state for damages and attorney fees.

3 L. Associations shall annually provide to members and new owners
4 education on rights and responsibilities at no cost.

5 Section 2. Associations shall convert existing governing documents to conform to
6 the requirements as provided in R.S. 9:1141.51(C) as enacted by Section 1 of this Act by
7 January 1, 2027.

8 Section 3. Associations shall establish an online portal as prescribed in R.S.
9 9:1141.51(D) as enacted by Section 1 of this Act by January 1, 2027.

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 817 Original

2026 Regular Session

McMakin

Abstract: Establishes the La. Homeowners Bill of Rights.

Proposed law may be known and cited as the "La. Homeowner Bill of Rights".

Proposed law provides for the purpose of proposed law.

Proposed law applies to all associations as defined in present law regardless of date of creation, unless expressly exempted.

Proposed law requires all associations to convert existing governing documents to conform to the requirements of proposed law by Jan. 1 2027.

Proposed law requires associations to establish an online portal or website and to publish on the portal or website any declaration, bylaws, rules, and covenants. Any amendments to the declaration, bylaws, rules, and covenants are required to be provided to each member, including new members at purchase within 30 days.

Proposed law provides for certain association records that may be subject to inspection or copy within 14 days upon written request.

Proposed law requires ballots to be retained for one year and the following records for at least 7 years:

- (1) Budgets.
- (2) Monthly financial statements.
- (3) Minutes.
- (4) Owner lists.

- (5) Governing documents.
- (6) Tax returns.
- (7) Contracts.
- (8) Insurance policies.

Proposed law provides for the association board composition and control by developers in certain circumstances.

Proposed law provides for association meetings and required notices and agendas.

Proposed law provides requirements regarding contracts with the associations of a certain dollar amount. Permits members to inspect management contracts upon written notice.

Proposed law provides for annual budgets of the association. Requires that annual budgets detail expenses which include but are not limited to maintenance, utilities, insurance, and reserves, and be sent to members within 10 days of the start of the association's fiscal year with quarterly updates showing expenditures, fines, and variances.

Proposed law requires any surplus funds that are not on reserve be returned or credited to the member and further requires that any budget and updates be filed with the La. attorney general's office and retained for five years.

Proposed law requires that dues be assessed proportionally by the total expenses divided by the number of parcels unless amended by majority vote and prohibits the increase of assessments by more than 20% annually without member approval.

Proposed law requires a 48-hour notice for any increase in the budget or dues or unbudgeted expenditures over \$10,000 and quorum approval for any large unbudgeted items.

Proposed law provides for liens and fines for certain violations.

Proposed law requires the attorney general to collect, track, and publish data on homeowner complaints against associations.

Proposed law provides that if any association violates the provisions of proposed law, the association may be liable to members or the state for damages and attorney fees.

Proposed law requires associations to annually provide to members and new owners education on rights and responsibilities at no cost.

(Adds R.S. 9:1141.51)