

2026 Regular Session

HOUSE BILL NO. 990

BY REPRESENTATIVE LYONS

LOCAL GOVERNMENT: Provides for a privilege in favor of parishes, sewerage districts, and waterworks districts for certain unpaid service charges or user fees

1 AN ACT

2 To amend and reenact R.S. 33:4887(A), (B)(introductory paragraph), (C), (D), and
3 (E)(1)(introductory paragraph), relative to privileges against multifamily residential
4 properties; to grant parishes, sewerage districts, and waterworks districts a privilege
5 against such properties for certain unpaid service charges or user fees; to provide a
6 time period for a written demand for the payment of such service charges or user
7 fees; to provide relative to procedures for securing a privilege; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:4887(A), (B)(introductory paragraph), (C), (D), and
11 (E)(1)(introductory paragraph) are hereby amended and reenacted to read as follows:

12 §4887. ~~Municipal powers; demand; sworn detailed statement~~ Parishes,
13 municipalities, sewerage districts, and waterworks districts; privileges; sewer
14 and water service charges or user fees

15 A. ~~The governing authority of a municipality~~ Parishes, municipalities,
16 sewerage districts, and waterworks districts shall have a privilege against a
17 multifamily residential property for the amount of any unpaid service charge or user
18 fee for sewage disposal or water system services ~~the municipality provides that they~~
19 provide. The privilege shall apply only to multifamily residential property that uses
20 a master meter service agreement in which a single water meter or collection of

1 meters measures the total water or sewage services usage for the entire property or
2 multiple units within a development. For purposes of this Section, multifamily
3 residential property shall mean immovable property consisting of more than four
4 dwelling units occupied by persons other than the owner of the immovable property.

5 B. When an owner of a multifamily residential property with a master meter
6 service agreement fails to pay the service charge or user fee for the sewage disposal
7 or water system services, a ~~municipal governing authority~~ parish, municipality,
8 sewerage district, or waterworks district seeking to collect the past due amounts
9 owed shall make written demand by any of the following:

10 * * *

11 C.(1) The owner shall have thirty days after the written demand to deliver
12 payment for the amount owed to the ~~municipal governing authority~~ parish,
13 municipality, sewerage district, or waterworks district.

14 (2) The ~~municipal governing authority~~ parish, municipality, sewerage
15 district, or waterworks district shall apply any sums paid by the owner following
16 delivery of the written demand to the balance owed.

17 (3) After expiration of the thirty-day period, the ~~municipal governing~~
18 ~~authority~~ parish, municipality, sewerage district, or waterworks district may file a
19 sworn detailed statement of privilege in accordance with this Section.

20 D. Upon the filing of a sworn detailed statement of privilege, the ~~municipal~~
21 ~~governing authority~~ parish, municipality, sewerage district, or waterworks district
22 shall have a privilege upon the multifamily residential property. The privilege shall
23 secure unpaid service charges, user fees, together with interest thereon at the legal
24 interest rate from the date due.

25 E.(1) The sworn detailed statement of privilege shall be signed and verified
26 by a ~~municipal official~~ an official of the parish, municipality, sewerage district, or
27 waterworks district with knowledge of the unpaid service charges or user fees for
28 sewage disposal or water system services and filed for registry in the mortgage

1 records of the parish where the multifamily residential property is located. The
2 statement of privilege shall include all of the following:

3 * * *

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 990 Original

2026 Regular Session

Lyons

Abstract: Grants parishes, sewerage districts, and waterworks districts a privilege against multifamily residential properties for unpaid service charges or user fees for sewage disposal or water system services.

Present law provides that the governing authority of a municipality shall have a privilege against a multifamily residential property for the amount of any unpaid service charge or user fee for sewage disposal services or water system services the municipality provides. Defines "multifamily residential property" to mean immovable property consisting of more than four dwelling units occupied by persons other than the owner of the immovable property.

Proposed law retains present law and additionally grants a privilege for such unpaid service charges or user charges to parishes, sewerage districts, and waterworks districts.

Present law provides that when an owner of a multifamily residential property with a master meter service agreement fails to pay the service charge or user fee for the sewage disposal or water system services, a municipal governing authority seeking to collect the past due amounts owed shall make written demand by any of the following:

- (1) U.S. mail postage paid, or commercial courier as defined in present law to the mailing address designated by the owner.
- (2) Electronic mail to the address designated by the owner.
- (3) Hand delivery to the physical location of the multifamily residential property, if neither a mailing address nor an electronic mail address has been designated by the owner.
- (4) Any other method reasonably calculated to provide notice to the owner.

Proposed law retains present law and additionally provides that parishes, sewerage districts, and waterworks districts shall make written demand for payment of the service charges or user fees by following the same procedures.

Present law provides that the owner shall have 30 days after the written demand to deliver payment for the amount owed to the municipal governing authority. Requires the municipal governing authority to apply any sums paid by the owner following delivery of the written demand to the balance owed. Provides that after expiration of the 30-day period, the municipal governing authority may file a sworn detailed statement of privilege.

Proposed law retains present law and additionally authorizes parishes, sewerage districts, and waterworks districts to file a sworn detailed statement of privilege after the expiration of the 30-day period.

Present law provides that upon the filing of a sworn detailed statement of privilege, the municipal governing authority shall have a privilege upon the multifamily residential property. Provides that the privilege shall secure unpaid service charges, user fees, together with interest thereon at the legal interest rate from the date due.

Proposed law retains present law and additionally provides that upon the filing of a sworn detailed statement of privilege, a parish, sewerage district, and waterworks district shall have a privilege upon the multifamily residential property.

Present law provides that the sworn detailed statement of privilege shall be signed and verified by a municipal official with knowledge of the unpaid service charges or user fees for sewage disposal or water system services and filed for registry in the mortgage records of the parish where the multifamily residential property is located.

Proposed law retains present law and additionally requires that the sworn detailed statement of privilege be signed by an official of a parish, sewerage district, or waterworks district with knowledge of the unpaid service charges or user fees for sewage disposal or water system services and filed for registry in the mortgage records of the parish where the multifamily residential property is located.

(Amends R.S. 33:4887(A), (B)(intro para.), (C), (D), and (E)(1)(intro para.))