

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 extending or
8 growing on neighboring 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 has
11 been issued pursuant to Article 688, the landowner may have the branches or roots
12 trimmed by a licensed arborist following arboricultural standards, at the landowner's
13 own expense, if the landowner sends a thirty-day written notification to the neighbor
14 via certified mail or commercial courier with confirmation of delivery in accordance
15 with Paragraph (B) of this Article.

16 B. The written notification shall include the date, demand for removal, the
17 name and credentials of the licensed arborist who is to perform the removal, the
18 proposed date of the removal, and a statement that provides that if the neighbor does
19 not remove the branches or roots, the landowner shall proceed with removal after
20 thirty days from the delivery of the written notification. The credentials of the

1 licensed arborist shall include an arborist license in addition to general liability
 2 insurance and workers' compensation insurance.

3 C. Nothing in this Article shall preclude a landowner from removing the
 4 branches or roots of trees, bushes, or plants that extend into the landowner's property
 5 himself, without notification, if the removal is conducted in a reasonable manner and
 6 does not cause material damage to the health of the tree, bush, or plant.

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 Reengrossed

2026 Regular Session

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 the trimming of the branches or roots, at the landowner's own expense, by a licensed arborist following arboricultural standards if the landowner sends a 30-day written notification via certified mail or commercial courier after the neighbor does not trim the branches or roots of his trees, bushes, or plants.

Proposed law provides for a written notification that includes the date, demand for removal, the name and credentials of the licensed arborist who is to perform the removal, the proposed date of the removal, and a statement providing that if the neighbor does not remove the branches or roots, the landowner will proceed with removal after 30 days from the delivery of the written notification.

Proposed law also requires that the licensed arborist has general liability insurance and workers' compensation insurance.

Proposed law permits a landowner to remove the branches or roots himself, without providing notice, if the trimming does not materially harm the health of the trees, bushes, or plants caused by the removal.

(Adds C.C. Art. 688.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the original bill:

1. Permit only a licenced arborist with general liability insurance and workers' compensation insurance to perform the trimming of the branches or roots.

2. Add to the required information in a written notification to include the name and credentials of the licensed arborist and the proposed date of the removal.
3. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Permit the landowner to send the written 30-day notification via commercial courier with confirmation of delivery.
2. Clarify that a landowner may trim the branches and roots that extend into the landowner's property, without notice, if it does not materially affect the health of the bush, tree, or plant.
3. Amend proposed law to authorize, but not require, trimming or removal to be conducted by a licensed arborist.