

2026 Regular Session

HOUSE BILL NO. 720

BY REPRESENTATIVE RISER

1 AN ACT

2 To amend and reenact R.S. 48:491(B)(1)(c) and (2) and to enact R.S. 48:491(B)(3), relative
3 to tacit dedication of public roadways; to provide for the term of a tacit dedication
4 of a roadway maintained by a parish or municipality; to provide for public works and
5 improvements on tacitly dedicated rights of way; to provide for susceptibility to
6 private sale; to provide for revocation; to provide for retroactive application; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 48:491(B)(1)(c) and (2) are hereby amended and reenacted and R.S.
10 48:491(B)(3) is hereby enacted to read as follows:

11 §491. Public roads

12 * * *

13 B.(1)

14 * * *

15 (c) Actual or constructive knowledge is conclusively presumed within all
16 parishes and municipalities, ~~except as otherwise provided by R.S. 48:491(B)(3)~~, if
17 the total period of such maintenance is four years or more, unless prior thereto and
18 within sixty days of such actual or constructive knowledge, the prescription is
19 interrupted or suspended in any manner provided by law.

20 (2)(a) Any tacit dedication of a road or street pursuant to Paragraph (1) of
21 this Subsection shall remain in force and effect and the right-of-way for such public

1 Section 2. The provisions of this Act are remedial, procedural, and interpretive of
2 existing law and shall be given prospective and retroactive application.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____