

2026 Regular Session

HOUSE BILL NO. 368

BY REPRESENTATIVES FREEMAN AND KNOX

1 AN ACT

2 To amend and reenact R.S. 25:762.1, relative to the city of New Orleans; to provide relative
3 to historic preservation districts and landmarks commissions; to provide relative to
4 regulations established by such districts and commissions; to provide relative to the
5 violation of such regulations; to provide relative to penalties imposed for certain
6 violations; to increase the maximum penalties authorized to be levied for such
7 violations; to provide for liens on immovable property in or on which a violation
8 occurred; and to provide for related matters.

9 Notice of intention to introduce this Act has been published
10 as provided by Article III, Section 13 of the Constitution of
11 Louisiana.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 25:762.1 is hereby amended and reenacted to read as follows:

14 §762.1. Commission enforcement powers; city of New Orleans

15 A. Notwithstanding any other provision of law to the contrary, in the city of
16 New Orleans, any owner, agent, lessee, or other person acting for or in conjunction
17 with him who demolishes a structure or edifice located in the city of New Orleans
18 without having received an appropriate certificate of appropriateness may be fined
19 a single fine of not more than the greater of ~~twenty-five~~ fifty thousand dollars or
20 fifteen percent of the assessed value of the structure or edifice in accordance with the

1 assessed value immediately preceding the demolition as provided for in the tax rolls
2 of the city.

3 B. The municipality or parish shall have a lien and privilege against the
4 immovable property in or on which the violation occurred. The lien and privilege
5 shall secure all fines, costs, and penalties which are assessed by the municipality or
6 parish in accordance with this Section and described in the order, judgment, notice
7 of judgment, or lien. For the lien and privilege to arise and exist, the order, judgment,
8 notice of judgment, or lien assessing any fines, costs, and penalties shall be recorded
9 in the mortgage office of the parish in which the immovable property, or any portion
10 thereof, in or on which the violation occurred, is situated. The recordation shall have
11 the effect of a judicial mortgage against the immovable property described therein
12 and may be enforced against the immovable property described therein upon
13 application of the municipality or parish to the clerk of the district court for issuance
14 of a writ in accordance with Code of Civil Procedure Article 2253. The remedies
15 established in this Chapter are nonexclusive and may be pursued independently of
16 each other and in addition to other remedies provided by law. In order for the lien
17 and privilege to arise, the order, judgment, notice of judgment, or lien shall be final
18 and not subject to appeal when recorded in the mortgage office. The lien and
19 privilege shall have ranking as provided by R.S. 9:4821(A)(1).

20 C. Any liens placed against such immovable property shall be included in
21 the next annual ad valorem tax bill and shall be paid along with such taxes, subject,
22 however, to any valid homestead exemption. Failure to pay the liens shall cause the
23 immovable property in or on which the violation occurred to be subject to the same
24 provisions of law that govern tax liens on immovable property in accordance with
25 the property tax lien auction procedures as set forth in R.S. 47:2122 et seq. In
26 addition, failure to pay the liens shall also cause such liens and privileges to be
27 subject to enforcement in accordance with R.S. 13:2576. Any liens placed against
28 immovable property that has a legal homestead exemption from taxes will become
29 payable ninety days after the death of the owner thereof or immediately upon

1 recording of any conventional mortgage on the immovable property or transfer of
2 title to a new owner, whichever occurs first.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____