The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

DIGEST

SB 190 Original

2018 Regular Session

Bishop

<u>Present law</u> authorizes local municipalities and parishes to institute an action to prevent unlawful building, structure, or land use.

<u>Present law</u> provides for the enforcement by the municipality or the parish and for a fine of not less than \$10 and not more than \$25 dollars or imprisonment for not more than 30 days for each day a violation continues.

<u>Proposed law</u> retains <u>present law</u> and authorizes any adversely affected owner or lessee of nearby immovable property to institute an action to prevent unlawful building, structure, or land use.

<u>Proposed law</u> requires the owner or lessee to give written notice to the municipality or parish describing the violation and stating the intention to bring an action.

Proposed law provides for a two-year liberative prescriptive period for the private right of action.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 33:4728 and 4780.48)