2018 Regular Session

HOUSE BILL NO. 634

BY REPRESENTATIVES HUNTER, CHAD BROWN, CARMODY, COX, GLOVER, HOLLIS, JEFFERSON, LYONS, MORENO, REYNOLDS, AND THOMAS

1	AN ACT
2	To enact Chapter 2-A of Title 21 of the Louisiana Revised Statutes of 1950, to be comprised
3	of R.S. 21:61, relative to short-term rental structures; to define key terms; to prohibit
4	the use of a camera unless notice is provided; to provide for damages; and to provide
5	for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. Chapter 2-A of Title 21 of the Louisiana Revised Statutes of 1950,
8	comprised of R.S. 21:61, is hereby enacted to read as follows:
9	CHAPTER 2-A. OFFENSES BY OWNERS
10	<u>§61. Notice required for use of camera in short-term rental structures</u>
11	A. For the purposes of this Section, the following definitions apply:
12	(1) "Camera" means a camcorder, motion picture camera, photographic
13	camera of any type, or other equipment that is concealed or disguised to secretly or
14	surreptitiously videotape, film, photograph, record, or view a person by electronic
15	means.
16	(2) "Common area" means all areas of the short-term rental structure,
17	excluding any bedrooms or bathrooms.
18	(3) "Short-term rental structure" means a building which may have
19	previously been used as a one- or two-family dwelling but is rented from the owner
20	of the structure by an unknown number of persons for a period of time not to exceed
21	twenty-nine days.
22	<u>B.(1)</u> Except as provided in Paragraph (2) of this Subsection, an owner or
23	lessor of a short-term rental structure shall not install or use a camera on the premises
24	of a short-term rental structure.

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1	(2) The owner or lessor of a short-term rental structure may install or use a
2	camera only in the common areas of the structure if he first conspicuously posts a
3	sign on the premises of the short-term rental structure with the following statement:
4	<u>"NOTICE</u>
5	ELECTRONIC SURVEILLANCE EQUIPMENT HAS BEEN INSTALLED
6	ON THESE PREMISES AND ALL ACTIVITIES IN COMMON AREAS
7	ARE SUBJECT TO BEING RECORDED BY VIDEO."
8	C. An owner or lessor of a short-term rental structure shall not use any audio,
9	video, or photographic footage obtained pursuant to this Chapter for any commercial
10	or exploitative purpose nor shall he make the footage available to members of the
11	public.
12	D. Any guest of a short-term rental structure who is documented on any
13	audio, video, or photographic footage obtained in violation of this Chapter shall have
14	a civil cause of action against an owner or lessor of a short-term rental structure who
15	obtained, used, or made available the footage in violation of this Chapter, and is
16	entitled to recover from any such owner or lessor all of the following:
17	(1) Actual damages.
18	(2) A reasonable attorney fee and other litigation cost reasonably incurred.
19	(3) Punitive Damages.
20	SPEAKER OF THE HOUSE OF REPRESENTATIVES
21	PRESIDENT OF THE SENATE
22	GOVERNOR OF THE STATE OF LOUISIANA
22	
23	APPROVED:

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