

2020 Regular Session

HOUSE BILL NO. 356

BY REPRESENTATIVE LANDRY

COURTS: Provides relative to the subject matter jurisdiction of certain courts

1 AN ACT

2 To amend and reenact Code of Civil Procedure Articles 4842(B) and 4843(B) and R.S.
3 13:5202(B), relative to the subject matter jurisdiction of parish, city, and small
4 claims courts; to provide for civil jurisdiction over claims brought by individuals and
5 neighborhood associations seeking enforcement of ordinances; to provide for the
6 amount in dispute; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Code of Civil Procedure Articles 4842(B) and 4843(B) are hereby
9 amended and reenacted to read as follows:

10 Art. 4842. Parish court jurisdiction; amount in dispute; injunctive actions by a
11 political subdivision

12 * * *

13 B.(1) The civil jurisdiction of a parish court is concurrent with the district
14 court in cases or proceedings instituted by the state, a parish, a municipality, or other
15 political subdivision of the state for injunctive relief or other civil relief for the
16 cessation or abatement of any acts or practices which may violate any parish or
17 municipal ordinance or any state law. In such case, the court shall have jurisdiction
18 irrespective of the amount in dispute or the value of the property involved.

19 (2) The civil jurisdiction of a parish court is concurrent with the district court
20 in cases or proceedings instituted by an individual or a neighborhood association or

1 organization for injunctive relief or other civil relief for the cessation or abatement
2 of any acts or practices which may violate any parish or municipal ordinance. In
3 such case, the court shall have jurisdiction irrespective of the amount in dispute or
4 the value of the property involved.

5 Art. 4843. City court jurisdiction; amount in dispute; injunctive actions by state or
6 political subdivision

7 * * *

8 B.(1) The civil jurisdiction of a city court in which the population of the
9 territorial jurisdiction is greater than fifty thousand is concurrent with the district
10 court in cases or proceedings instituted by the state, a parish, a municipality, or other
11 political subdivision of the state for injunctive relief or other civil relief for the
12 cessation or abatement of any acts or practices which may violate a parish or
13 municipal ordinance or state law. In such case, the court has jurisdiction regardless
14 of the amount in dispute or the value of the property involved.

15 (2) The civil jurisdiction of a city court is concurrent with the district court
16 in cases or proceedings instituted by an individual or a neighborhood association or
17 organization for injunctive relief or other civil relief for the cessation or abatement
18 of any acts or practices which may violate a parish or municipal ordinance. In such
19 case, the court has jurisdiction regardless of the amount in dispute or the value of the
20 property involved.

21 * * *

22 Section 2. R.S. 13:5202(B) is hereby amended and reenacted to read as follows:

23 §5202. Jurisdiction

24 * * *

25 B.(1) A small claims division shall have authority to grant any appropriate
26 relief, including money damages and equitable relief. Injunctions and restraining
27 orders shall not issue from a small claims division, except to arrest the execution of
28 its own writ or as provided in Paragraph (2) of this Subsection. Class actions,
29 summary proceedings, and executory proceedings shall be prohibited.

