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## DIGEST

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HB 62 Original

2020 Second Extraordinary Session

James

**Abstract:** Prohibits lessors from reporting nonpayments or delinquent rent of lessees to credit reporting agencies during the COVID-19 public health emergency and provides limitations and exceptions relative to leased premises.

Proposed law defines "credit reporting agency" and "public health emergency".

Proposed law prohibits lessors from reporting the nonpayments or delinquent rent of lessees to credit reporting agencies during the COVID-19 public health emergency.

Proposed law provides certain limitations and exceptions. Except for the nonpayment of rent, fees, interest, utilities, or other failure of the lessee to perform monetary obligations with respect to the leased premises, proposed law does not preclude any of the following:

- (1) Tenancy terminations.
- (2) Actions for possession.
- (3) Refusals to renew or extend the terms of a tenancy.

Except for the nonpayment of rent, fees, interest, utilities, or other failure of the lessee to perform monetary obligations with respect to the leased premises, proposed law does not preclude eviction of a lessee based on any of the following:

- (1) Damage or destruction to the premises.
- (2) Criminal activity on the premises.
- (3) A threat to the health and safety of the public.

Proposed law provides that a lessee may retain occupancy of a leased premises after termination or expiration of a lease term during the COVID-19 public health emergency.

Proposed law prohibits a default judgment against a defendant in an action for termination, possession, failure to vacate after termination of a lease by expiration, or rent for the duration of the COVID-19 public health emergency. Further prohibits lessors from seeking or collecting treble damages based on the failure of a lessee or authorized guest to vacate the premises for the duration

of the public health emergency.

Proposed law does not apply in the following circumstances:

- (1) An eviction action, including but not limited to a request, motion, filing or action taken or made after the lessee is no longer in possession and no longer occupying the dwelling unit.
- (2) Property rented for commercial business use.
- (3) Eviction for threat to the health and safety of the public, if the lessee or authorized guest could potentially transmit COVID-19.

Proposed law terminates 6 months after the termination or expiration of the COVID-19 public health emergency.

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

(Adds R.S. 9:3391-3394)