

2022 Regular Session

HOUSE BILL NO. 549

BY REPRESENTATIVES BOYD, AMEDEE, BROWN, ROBBY CARTER, WILFORD
CARTER, GAROFALO, JEFFERSON, NELSON, AND SEABAUGH

1 AN ACT

2 To amend and reenact R.S. 9:1141.8 and to enact R.S. 9:1122.103(C), 1131.5(C), and 2734,
3 relative to immovable property; to provide relative to restrictions on immovable
4 property; to prohibit restrictions based on race or religion; to provide relative to
5 condominium associations, timeshare associations, and homeowners associations;
6 to provide relative to community documents; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 9:1141.8 is hereby amended and reenacted and R.S. 9:1122.103(C),
9 1131.5(C), and 2734 are hereby enacted to read as follows:

10 §1122.103. Construction and validity of declaration and bylaws

11 * * *

12 C. Notwithstanding any law or agreement to the contrary, provisions in the
13 declaration and bylaws restricting conveyance based on race or religion shall be void
14 as provided by R.S. 9:2734.

15 * * *

16 §1131.5. Construction and validity of declaration

17 * * *

18 C. Notwithstanding any law or agreement to the contrary, provisions in the
19 plan restricting conveyance based on race or religion shall be void as provided by
20 R.S. 9:2734.

21 * * *

22 §1141.8. Community documents; force of law

23 A. The community documents of residential planned communities shall have
24 the force of law between the homeowners association and the individual lot owners

1 and as between individual lot owners. The remedies for breach of any obligation
2 imposed on lot owners or the association shall include damages, injunctions, or such
3 other remedies as are provided by law.

4 B. Notwithstanding any law or agreement to the contrary, provisions in the
5 community documents restricting conveyance based on race or religion shall be void
6 as provided by R.S. 9:2734.

7 C. A residential planned community acting through a majority vote of its full
8 board membership, instead of a majority approval of the owners, may amend the
9 community documents for the purpose of removing any restriction, covenant, or
10 condition that prohibits or limits the conveyance, encumbrance, rental, occupancy,
11 or use of immovable property on the basis of race, color, religion, sex, disability,
12 familial status, or national origin as defined in the Louisiana Equal Housing
13 Opportunity Act.

14 * * *

15 §2734. Prohibited private restrictive covenants

16 Any promise, covenant, or restriction in a contract, mortgage, lease, deed, or
17 conveyance or in any other agreement affecting immovable property that limits,
18 restrains, prohibits, or otherwise provides against the sale, grant, gift, transfer,
19 assignment, conveyance, ownership, lease, rental, use, or occupancy of immovable
20 property to or by any person based on race or religion shall be void, against public
21 policy, and wholly unenforceable and shall not constitute a defense in any action,
22 suit, or proceeding.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____