ENROLLED

2023 Regular Session

HOUSE BILL NO. 370

BY REPRESENTATIVES LANDRY, BACALA, CARRIER, ROBBY CARTER, EDMONSTON, FREEMAN, GOUDEAU, GREEN, HILFERTY, HORTON, JENKINS, KNOX, AND MOORE

AN ACT

To amend and reenact R.S. 14:107.3(B) and (C), to enact R.S. 14:107.3(H) and R.S. 15:1352(A)(70), and to repeal R.S. 14:107.3(D), relative to criminal blighting of property; to provide relative to penalties for the offense; to provide relative to review and appeal of declarations of certifications of blight; to provide for additional crimes that are elements of racketeering activity; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:107.3(B) and (C) are hereby amended and reenacted and R.S. 14:107.3(H) is hereby enacted to read as follows:

§107.3. Criminal blighting of property

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B. Criminal blighting of property is the intentional or criminally negligent permitting of the existence of a condition of deterioration of property by the owner, which is deemed to have occurred when the property has been declared or certified as blighted after an administrative hearing, pursuant to R.S. 13:2575 or 2576~~, and after all reviews or appeals have occurred~~.

C.(1) On ~~the~~ a first conviction, the offender shall be ~~punished by a fine~~ fined not ~~to exceed~~ more than five hundred dollars per violation. Imposition of a fine may be suspended and in lieu thereof, the court may require the offender to correct all existing housing violations on the blighted property within a timely manner determined by the court.

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(2) On a second conviction, or if the offender fails to correct violations after ordered to do so by the court, the offender shall be ~~punished by a fine not to exceed five hundred~~ fined not more than one thousand dollars per violation and ~~ordered to perform not more than forty hours of community service~~ imprisoned for not more than six months. Additionally, the court shall require that the offender correct all existing housing violations on the blighted property.

(3) On any third or subsequent conviction, or if the offender fails to correct all violations after a second conviction, the offender shall be ~~punished by a fine not to exceed~~ fined not more than two thousand dollars per violation, and ~~ordered to perform not more than eighty hours of community service, or both. Additionally, the court shall require that the offender correct all existing housing violations on the blighted property~~ imprisoned for not more than one year, with or without hard labor.

(4) The penalty of imprisonment provided for in this Subsection shall not be imposed when the property is a single family residence occupied by the defendant at the time of the violation.

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H. Prosecution pursuant to this Section may occur concurrently with review and appeal of declarations and certifications of blight.

Section 2. R.S. 15:1352(A)(70) is hereby enacted to read as follows:

§1352. Definitions

A. As used in this Chapter, "racketeering activity" means committing, attempting to commit, conspiring to commit, or soliciting, coercing, or intimidating another person to commit any crime that is punishable under the following provisions of Title 14 of the Louisiana Revised Statutes of 1950, the Uniform Controlled Dangerous Substances Law, or the Louisiana Securities Law:

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(70) R.S. 14:107.3 (Criminal blighting of property)

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Section 3. R.S. 14:107.3(D) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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