SLS 16RS-536 **ORIGINAL**

2016 Regular Session

SENATE CONCURRENT RESOLUTION NO. 13

BY SENATOR BISHOP

LEGISLATIVE AGENCIES. Requests the Louisiana State Law Institute to study the feasibility of revising state law regarding standing for private associations to seek injunctive relief for a zoning violation and also to study present penalties for zoning violations.

A CONCURRENT RESOLUTION

To request the Louisiana State Law Institute to study the feasibility of revising state law to specifically authorize a right of action and legal standing for private associations to seek injunctive relief for a zoning violation when a municipality fails or refuses to do so and a person is harmed thereby, and also to study whether present penalties for zoning violations should be revised to be comparable with those in other states.

WHEREAS, due to recent court decisions there appears uncertainty in Louisiana law regarding the right of action and standing of a private association to seek injunctive relief for a zoning violation when a municipality fails or refuses to do so and a person is harmed thereby; and

WHEREAS, there appears further uncertainty as to whether present penalties for zoning violations in Louisiana are comparable with penalties for similar violations in other states; and

WHEREAS, such uncertainty should be resolved in order that persons and entities in our state will have a clear understanding of their rights and duties under state law.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to study the feasibility of revising state law to specifically authorize a right of action and legal standing for private associations to seek

injunctive relief for a zoning violation when a municipality fails or refuses to do so and a person is harmed thereby, and also to study whether present penalties for zoning violations should be revised to be comparable with those in other states.

BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit a written report of its findings, together with any recommendations in the form of proposed legislation, to the Legislature of Louisiana no later than February 1, 2017.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Director of the Louisiana State Law Institute.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ben Huxen.

DIGEST

SCR 13 Original 2016 Regular Session Bishop

Requests the La. State Law Institute to study the feasibility of revising state law regarding standing for private associations to seek injunctive relief for a zoning violation and also to study present penalties for zoning violations.

Requests a report of its finding and recommendations to the legislature no later than February 1, 2017.