2016 Regular Session

HOUSE BILL NO. 160

BY REPRESENTATIVE ZERINGUE

PROPERTY/EXPROPRIATION: Provides relative to the expropriation for integrated coastal protection projects by the Terrebonne Parish Consolidated Government

1	AN ACT
2	To amend and reenact R.S. 19:271(A) and (D) and to enact R.S. 19:271(E), relative to
3	expropriation by the Terrebonne Parish Consolidated Government; to authorize
4	expropriation by a declaration of taking for integrated coastal protection projects; to
5	provide for definitions; and to provide for related matters.
6	Notice of intention to introduce this Act has been published
7	as provided by Article III, Section 13 of the Constitution of
8	Louisiana.
9	Be it enacted by the Legislature of Louisiana:
10	Section 1. R.S. 19:271(A) and (D) are hereby amended and reenacted and R.S.
11	19:271(E) is hereby enacted to read as follows:
12	§271. Terrebonne Parish Consolidated Government; authority to expropriate;
13	acquisition of property prior to judgment; definitions
14	A. When the Terrebonne Parish Consolidated Government cannot amicably
15	acquire property needed for a street, parish road or highway, drainage, flood
16	protection, utility, integrated coastal protection project, or sewerage project, it may
17	acquire the same by expropriation and may acquire the property prior to judgment
18	in the trial court fixing the amount of compensation due to the owner of the property.
19	The expropriation of any property pursuant to the provisions of this Part must first
20	be approved by two-thirds of the elected membership of the parish council of the

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	Terrebonne Parish Consolidated Government by the adoption of an ordinance
2	declaring that the taking is necessary or useful for the purposes of this Part.
3	* * *
4	D. Expropriation for integrated coastal protection projects by the parish
5	government, as authorized by this Section, shall be conducted in the manner that the
6	levee districts and levee drainage districts may expropriate property for integrated
7	coastal protection projects, as set forth in R.S. 38:352 et seq. The method of
8	expropriation provided by this Section shall be authorized for corporeal property and
9	servitudes and for both riparian and non-riparian property.
10	D. <u>E.</u> As used in this Part, the term <u>following terms shall have the following</u>
11	meanings:
12	(1) "property" "Property" means any portion of immovable property
13	including servitudes, rights-of-way, and other rights in or to immovable property, but
14	shall not include any property, utility plant, or facilities owned by any private
15	waterworks or sewerage system.
16	(2) "Integrated coastal protection project" means projects intended to provide
17	hurricane protection or coastal conservation or restoration as provided by R.S.
18	<u>49:214.2(11).</u>

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 160 Original	2016 Regular Session	Zeringue
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Abstract: Authorizes the Terrebonne Parish Consolidated Government to expropriate property by a declaration of taking for integrated coastal protection projects.

<u>Present law</u> authorizes the Terrebonne Parish Consolidated Government to expropriate by a declaration of taking property needed for street, parish road or highway, drainage, flood protection, utility, and sewerage projects.

Present law provides for notice and procedures for expropriation by a declaration of taking.

<u>Proposed law</u> retains <u>present law</u> and adds integrated coastal protection projects to the list of projects for which the Terrebonne Parish Consolidated Government may expropriate property by a declaration of taking.

<u>Proposed law</u> defines "integrated coastal protection project" as projects intended to provide hurricane protection or coastal conservation or restoration as provided by R.S. 49:214.2(11).

(Amends R.S. 19:271(A) and (D); Adds R.S. 19:271(E))