

Regular Session, 2010

# ACT No. 233

HOUSE BILL NO. 168

BY REPRESENTATIVES HENRY BURNS, BILLIOT, CHANDLER, EDWARDS,  
LEGER, RICHARD, RICHMOND, AND SMILEY

1 AN ACT

2 To amend and reenact R.S. 38:214 and 218 and to enact R.S. 48:223(G), relative to drainage  
3 obstruction; to provide for the issuance of citations; to provide for enforcement of  
4 penalties; to provide for collection of fines; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 38:214 and 218 are hereby amended and reenacted to read as  
7 follows:

8 §214. Interference with drainage prohibited

9 A. No person shall dump or discharge or permit to be dumped or discharged  
10 into any waters or drains of the state any trees or other objects, substances, or  
11 materials which might interfere with the drainage.

12 ~~B. Whoever violates~~ Upon the request of the Department of Transportation  
13 and Development, the state police shall issue a citation to any person who is in  
14 violation of this Section. Every person convicted of a violation of this Section shall  
15 be fined not less than twenty-five dollars nor more than three hundred dollars.

16 C. Each fine imposed pursuant to the provisions of this Section shall be  
17 collected by the court and forwarded to the state treasurer for deposit in the state  
18 treasury.

19 \* \* \*

20 §218. Diversion of natural drain prohibited

21 A. No person diverting or impeding the course of water from a natural drain  
22 shall fail to return the water to its natural course before it leaves his estate without

1 any undue retardation of the flow of water outside of his enclosure thereby injuring  
2 an adjacent estate.

3 B. Whoever violates Upon request of the Department of Transportation and  
4 Development, the state police shall issue a citation to any person who is in violation  
5 of this Section. Every person who is convicted of a violation of this Section shall be  
6 fined not less than twenty-five dollars nor more than one hundred dollars or  
7 imprisoned for not less than ten days nor more than thirty days, or both.

8 C. Every fine imposed pursuant to the provisions of this Section shall be  
9 collected by the court and forwarded to the state treasurer for deposit in the state  
10 treasury.

11 Section 2. R.S. 48:223(G) is hereby enacted to read as follows:

12 §223. Drainage for highways

13 \* \* \*

14 G. Upon request of the department, the state police shall issue a citation to  
15 any person who is in violation of this Section. Every person who is convicted of a  
16 violation of this Section shall be fined not less than twenty-five dollars nor more than  
17 one hundred dollars or imprisoned not more than thirty days, or both.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_