

Regular Session, 2012

HOUSE BILL NO. 448

BY REPRESENTATIVE ABRAMSON

CIVIL/LAW: Provides relative to the enforcement of fair housing laws

1 AN ACT

2 To amend and reenact R.S. 51:2613(A) and (B) and 2614(A), relative to enforcement of the  
3 Louisiana Equal Housing Opportunity Act; to provide access to a federal district  
4 court by a private person for discriminatory housing practices; to authorize the  
5 attorney general to bring a civil action on behalf of the state or a private person for  
6 discriminatory housing practices; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 51:2613(A) and (B) and 2614(A) are hereby amended and reenacted  
9 to read as follows:

10 §2613. Enforcement by private persons

11 A. If no complaint has been filed with the attorney general pursuant to R.S.  
12 51:2611, an aggrieved person may commence a civil action for enforcement of the  
13 rights granted pursuant to this Chapter in an appropriate state court of general  
14 jurisdiction or federal district court within two years after the alleged discriminatory  
15 housing practice occurred.

16 B. An action to obtain relief arising from a breach of conciliation agreement  
17 entered into pursuant to this Chapter may be commenced in an appropriate state  
18 court of general jurisdiction or federal district court within one year after the alleged  
19 breach.

20 \* \* \*

1 §2614. Enforcement by attorney general

2 A. If, after investigation of a complaint filed pursuant to R.S. 51:2611 or  
3 referred to an agency of this state pursuant to 42 U.S.C. 3610, the attorney general  
4 finds reasonable cause to believe that any person or group of persons is engaged in  
5 resistance to the full enjoyment of any of the rights granted pursuant to this Chapter  
6 or that any person or group of persons has been denied any of the rights granted  
7 pursuant to this Chapter, and the complainant, the respondent, and the attorney  
8 general have not entered into a conciliation agreement, he shall bring a civil action  
9 in any appropriate state or federal district court requesting relief. The attorney  
10 general may bring such a civil action pursuant to this Subsection on behalf of the  
11 state, an aggrieved person, or both, and may request any other relief to which the  
12 state or an aggrieved person may be entitled, including an application for a  
13 permanent or temporary injunction, restraining order, or other order against the  
14 person or persons responsible for the resistance or denial of rights.

15 \* \* \*

16 Section 2. This Act shall become effective upon signature by the governor or, if not  
17 signed by the governor, upon expiration of the time for bills to become law without signature  
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
20 effective on the day following such approval.

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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)]

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Abramson

HB No. 448

**Abstract:** Provides access to the federal courts to commence a civil action for enforcement of the La. Equal Housing Opportunity Act by a private person or the attorney general on behalf of a private person.

Present law provides that if no complaint has been filed with the attorney general, an aggrieved person is authorized to commence a civil action for enforcement in a state court of general jurisdiction within two years after the alleged discriminatory housing practice occurred.

Proposed law retains present law and adds jurisdiction for enforcement in the federal district courts.

Present law authorizes the attorney general to bring a civil action in any appropriate state district court requesting relief if, after an investigation or complaint has been filed, reasonable cause has been found to believe that any person or group is engaged in the resistance or denial of the rights provided for in the La. Equal Housing Opportunity Act.

Proposed law retains present law and adds authorization for the attorney general to bring a civil action and request relief on behalf of the state or an aggrieved person or both.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 51:2613(A) and (B) and 2614(A))