Regular Session, 2010

HOUSE BILL NO. 509

BY REPRESENTATIVE LORUSSO

1 AN ACT 2 To amend and reenact R.S. 33:1373(D) and 1374(D) and to enact R.S. 13:2493.1(D), 3 relative to providing concurrent jurisdiction of the Municipal Court of New Orleans 4 with the Civil District Court for the parish of Orleans over certain environmental and 5 blighted property issues; to provide for a special environmental docket for the 6 Housing and Environmental Court Division of the Municipal Court of New Orleans; 7 to authorize summary proceedings; and to provide for related matters. 8 Be it enacted by the Legislature of Louisiana: 9 Section 1. R.S. 13:2493.1(D) is hereby enacted to read as follows: §2493.1. Housing Court division; jurisdiction; powers of judge; environmental 10 11 docket * 12 * 13 D.(1) The jurisdiction of the Municipal Court of New Orleans, the Housing 14 and Environmental Court Division of the Municipal Court of New Orleans shall 15 extend to the trial of violations of an ordinance of the city of New Orleans and the 16 violations of state statutes which are not triable by a jury for criminal prosecutions 17 provided in R.S. 14:107.3, and any other authority provided by law or home rule 18 charter for the civil enforcement of health, safety, and welfare ordinances, including 19 but not limited to the authority provided in R.S. 13:2575 for administrative 20 adjudication for violations of public health, housing, fire code, environmental 21 building code, zoning, historic district, permitting vegetation, and nuisance 22 ordinances, as provided for and defined in R.S. 33:1374. In Orleans Parish, the 23 public authority may enforce health, safety, and welfare statutes or ordinances or 24 otherwise seek to eliminate blighted property, unsafe structures and equipment, 25 unlawful structures and structures unfit for human occupancy, housing violations, or public nuisances additionally in the Municipal Court of New Orleans. 26

<u>ENROLLED</u>

ACT No. 472

Page 1 of 2

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

HB NO	D. 509
-------	--------

ENROLLED

1	(2) A separate environmental docket of the Housing and Environmental
2	Court Division of the Municipal Court of New Orleans is established into which the
3	public authority, as defined in R.S. 33:1374, or other party, may request allotment
4	or transfer of cases brought pursuant to R.S. 33:1374.
5	Section 2. R.S. 33:1373(D) and 1374(D) are hereby amended and reenacted to read
6	as follows:
7	§1373. Enforcement of health, safety, and welfare ordinances in Jefferson Parish
8	and Orleans Parish
9	* * *
10	D. Any civil judicial proceeding instituted in accordance with this Section
11	that is on the environmental docket of the Twenty-Fourth Judicial District Court or
12	the Civil District Court for the parish of Orleans, or the successor to such court, or
13	the Municipal Court of New Orleans, may be heard by summary proceeding and the
14	public authority shall bear the burden of proof by a preponderance of the evidence
15	in an action instituted pursuant to this Part.
16	* * *
17	§1374. Enforcement of health, safety and welfare ordinances of Orleans Parish
18	* * *
19	D. Any civil judicial proceeding instituted in accordance with this Section
20	that is on the environmental docket of the Forty-First Judicial District Court or the
21	Municipal Court of New Orleans may be heard by summary proceeding.
22	* * *

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

Page 2 of 2

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