

Regular Session, 2010

HOUSE BILL NO. 560

BY REPRESENTATIVE POPE

1 AN ACT

2 To amend and reenact R.S. 33:4766(E)(1), relative to the condemnation of dilapidated and
3 dangerous structures; to provide relative to the enforcement of privileges and liens
4 granted in favor of a parish or municipality for the costs incurred in the demolition,
5 removal, repair, or maintenance of any such structure; to authorize a parish,
6 municipality, or levee board seeking to enforce a privilege or lien as a tax against
7 immovable property to submit the attested bills for such costs to the tax assessor of
8 the parish in which the property is located as an alternative to submitting any such
9 bill to the director of administration; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:4766(E)(1) is hereby amended and reenacted to read as follows:

12 §4766. Lien and privilege for cost of demolition, removal, and maintenance by
13 parish or municipality; interest; attorney fees

14 * * *

15 E.(1) The privilege and lien shall be enforced by ordinary process in the
16 district court having jurisdiction of the immovable within three years after it is
17 perfected. Alternatively, the privilege and lien may be enforced by assessing the
18 amount of the privilege and lien against the immovable as a tax against the
19 immovable, to be enforced and collected as any ordinary property tax lien to be
20 assessed against the property; said lien and privilege may be collected in the manner
21 fixed for collection of taxes and shall be subject to the same civil penalties for
22 delinquencies. After the parish, levee board, or municipality has incurred such costs
23 as constitute the lien and privilege on the property, the parish president, police jury,
24 mayor, president or executive director of the levee board, or any director of any

1 community development department of the parish or municipality may send an
 2 attested bill of said costs and expenses which constitute the lien and privilege to the
 3 director of administration or tax assessor of the parish in which the property is
 4 located, who shall add the amount of said bill to the next tax bill of the owner. The
 5 lien obtained by the parish, levee board, or municipality pursuant to proper
 6 notification and filing shall include not only the costs provided for in Subsection A
 7 of this Section but shall include all attorney fees and all costs of court incurred in the
 8 locating of the owner, the notification of the owner, and the enforcement and
 9 collection of the amount secured by the lien against the immovable and the
 10 improvements.

11 * * *

12 Section 2. This Act shall become effective on July 1, 2010; if vetoed by the governor
 13 and subsequently approved by the legislature, this Act shall become effective on July 1,
 14 2010, or on the day following such approval by the legislature, whichever is later.

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 PRESIDENT OF THE SENATE

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____