

SENATE BILL NO. 122

BY SENATOR AMEDEE

1 AN ACT

2 To amend and reenact R.S. 33:1236(30)(b)(i), (iii), (iv), and (vi), relative to the powers of  
3 local governing authorities; to authorize the governing authority of Ascension Parish  
4 to require and compel property owners to remove debris, wrecked or used motor  
5 vehicles, or any other discarded or abandoned items on their property; to authorize  
6 the governing authority to adopt ordinances placing any cost incurred for removal  
7 of such debris or items on the ad valorem tax bills of the parish; to authorize a  
8 collection fee for the sheriff of such parish; to provide relative to any action brought  
9 to contest the placing of such costs on the tax bills; and to provide for related  
10 matters.

11 Notice of intention to introduce this Act has been published.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 33:1236(30)(b)(i), (iii), (iv), and (vi) are hereby amended and  
14 reenacted to read as follows:

15 §1236. Powers of parish governing authorities

16 The police juries and other parish governing authorities shall have the  
17 following powers:

18 \* \* \*

19 (30)(a) \* \* \*

20 (b)(i) In the exercise of the authority granted herein, the governing authority  
21 of the parishes of Jefferson, Ouachita, Calcasieu, **Ascension**, and St. Tammany may  
22 require or compel property owners to remove trash, debris, junk, wrecked or used  
23 automobiles, or motor vehicles, or any part or parts thereof, or any other junk,  
24 discarded or abandoned machinery or other metal, tin, or other discarded items on  
25 their property, when such items are being stored or kept in violation of any zoning  
26 or other regulatory ordinance.

27 \* \* \*

1 (iii) Upon failure of any such property owner to pay the charges, the  
 2 governing authority may file a certified copy of ~~said~~ **the** charges with the recorder  
 3 of mortgages, and the ~~same~~ **copy** when so filed and recorded, shall operate as a lien  
 4 and privilege in favor of the parish against the property ~~of which said~~ **from which**  
 5 **the** items were removed. In the parishes of Jefferson, **Ascension,** and St. Tammany,  
 6 the lien and privilege granted under this Paragraph, when recorded within sixty days  
 7 from the date of completion of the removal of the items, shall have the same ranking  
 8 as an ad valorem tax lien on immovable property as provided in R.S. 9:4821(1).

9 (iv) The parish may, at its option, enact ordinances to add the removal  
 10 charges to the annual ad valorem tax bill of the property involved. In the parishes of  
 11 Jefferson, **Ascension,** and St. Tammany, if such charges are unpaid, the ad valorem  
 12 tax lien imposed thereby and such rights attendant thereto shall coexist with those  
 13 granted under Item ~~(30)(b)(iii) of this Section~~ **(iii) of this Subparagraph.**

\* \* \*

15 (vi) In the exercise of the authority herein granted to the parishes of Jefferson,  
 16 **Ascension,** and St. Tammany, the respective parish shall be the sole and proper  
 17 defendant in any action, authorized by law, to contest the addition of such charges  
 18 to the ad valorem tax bill of the property involved.

\* \* \*

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PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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