

SENATE BILL NO. 747

BY SENATOR JACKSON

1 AN ACT

2 To enact R.S. 49:220.10, relative to housing needs in declared disaster areas as a result of
3 hurricanes Katrina and Rita; to provide with respect to Road Home Program
4 applicants whose claims were denied because of unresolved succession and
5 inheritance issues; to provide certain terms, conditions, and procedures; to provide
6 relative to disbursal of certain funding; to provide for an effective date; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 49:220.10 is hereby enacted to read as follows:

10 **§ 220.10. Claims of certain Road Home Program applicants**

11 **A. Notwithstanding any other provision of law to the contrary, those**
12 **Road Home applicants whose claims were denied because of unresolved**
13 **succession or inheritance issues shall be awarded a Road Home grant, together**
14 **with a covenant restriction filed against the property to reserve the rights of the**
15 **state of Louisiana, for any claims arising in favor of the state against the**
16 **applicant subsequent to the awarding of the grant. The covenant restriction**
17 **shall be satisfied and removed upon the occurrence of either of the following:**

18 **(1) The signing of a judgment of possession in favor of the Road Home**
19 **grant recipient subject to the covenant restriction.**

20 **(2) The sale or transfer of the property subject to the covenant**
21 **restriction by the Road Home grant recipient in which the purchaser, heir, or**
22 **beneficiary receiving the property executes a mortgage in favor of the state, or**
23 **secures a mortgage from a third party and repays the state the amount of the**
24 **Road Home grant received for the property.**

25 **B. The division of administration, office of community development, is**
26 **authorized to investigate annually the ownership status of property subject to**
27 **the provisions of Subsection A of this Section, in order to protect its financial**

1 interest in the property improved with funds from the Road Home grant
2 program.

3 C. Road Home funding for those applicants listed in Subsection A of this
4 Section shall only be dispensed in accordance with revised program rules for the
5 Road Home Program, as reflected in a duly amended Action Plan approved by
6 the United States Department of Housing and Urban Development. In the event
7 that the United States Department of Housing and Urban Development does not
8 approve such amended Action Plan authorizing the use of funds in accordance
9 with the provisions of Subsection A of this Section, Subsection A of this Section
10 shall be without effect.

11 D. Nothing in this Section shall be deemed to create any right or cause
12 of action.

13 Section 2. R.S. 49:220.10 enacted by this Act shall not be affected by Section 5 of
14 Act No. 5 of the 2006 First Extraordinary Session of the Louisiana Legislature, under which
15 the statutory authority for the Louisiana Recovery Authority would cease.

16 Section 3. 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.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____