

2015 Regular Session

HOUSE BILL NO. 309

BY REPRESENTATIVE MACK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CIVIL/PROCEDURE: Provides with respect to evictions

1 AN ACT

2 To enact Code of Civil Procedure Article 4733.1, relative to evictions; to provide for the
3 eviction of lessees from multifamily developments; to provide for definitions; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. Code of Civil Procedure Article 4733.1 is hereby enacted to read as
7 follows:

8 Art. 4733.1. Eviction of lessees of multifamily developments

9 A. In addition to a judgment of eviction ordering a lessee or occupant to
10 deliver possession of the premises pursuant to Article 4732(B), and if the premises
11 is a unit of a multifamily development, the judgment of eviction and warrant for
12 possession shall extend to the entire multifamily development prohibiting the lessee
13 from occupying any unit of the multifamily development and authorizing the sheriff,
14 constable, or marshal to remove the lessee from the premises.

15 B. For purposes of this Article, "multifamily development" means any
16 building, including an apartment building, that is designed to house more than one
17 family and any group of mobile homes, as defined by R.S. 9:1149.2, located on a
18 tract of immovable property being managed or operated as a mobile home park.

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)]

HB 309 Original

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Abstract: Extends the application of a judgment of eviction and warrant for possession to prohibit the lessee from occupying any unit of a multifamily development and to authorize the sheriff, constable, or marshal to remove the lessee from the premises.

Present law provides the procedures for obtaining a judgment of eviction and warrant for possession.

Proposed law extends the application of a judgment of eviction and warrant for possession, with respect to multifamily developments, to the entire multifamily development prohibiting the lessee from occupying any unit of the multifamily development and authorizing the sheriff, constable, or marshal to remove the lessee from the premises.

Proposed law defines "multifamily development" as any building, including an apartment building, that is designed to house more than one family and any group of mobile homes located on a tract of immovable property being managed or operated as a mobile home park.

(Adds C.C.P. Art. 4733.1)