

2022 Regular Session

HOUSE BILL NO. 907

BY REPRESENTATIVE TARVER

TAX/PROPERTY: Provides for resident custodians on adjudicated property

1 AN ACT

2 To enact R.S. 47:2233.1, relative to property adjudicated to a political subdivision for
3 nonpayment of property taxes and assessments; to provide relative to maintenance
4 of such property; to authorize political subdivisions to employ persons to maintain
5 adjudicated property and to provide housing on the property for such persons; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:2233.1 is hereby enacted to read as follows:

9 §2233.1. Resident custodians and pivot housing units on adjudicated property; use
10 of income to pay taxes or assessments

11 A. The political subdivision, through its tax collector, upon taking or being
12 placed in possession by judgment of court may place on the adjudicated property a
13 pivot housing unit and lease the unit to a resident custodian who shall secure and
14 maintain the adjudicated property, all as more further specified in this Section.

15 B.(1) A pivot housing unit is a freestanding residential unit with not more
16 than six hundred fifty square feet of living area that includes bath, kitchen and
17 multipurpose room, that is built on piers, and that includes an exterior porch or
18 gallery of not more than two hundred square feet.

19 (2) Subject to ordinances and regulations adopted by the political
20 subdivision, the design of a pivot housing unit shall be in compliance with

1 neighborhood design standards, and the unit may be expanded to conform with local
2 zoning ordinances when permanent title to the adjudicated property upon which the
3 pivot housing unit is placed is determined and secured.

4 C.(1) The political subdivision may rent the pivot housing unit to a resident
5 custodian who is employed to secure and maintain the adjudicated property
6 indefinitely.

7 (2) Any such resident custodian shall:

8 (a) Pay market monthly rent for the housing provided.

9 (b) Keep the adjudicated property adequately maintained as required by
10 public standards and local ordinances pertaining to maintenance of adjudicated
11 property.

12 (3) The political subdivision shall apply the rentals received first to payment
13 of costs associated with the pivot housing unit, then to the payment of all costs of
14 court incurred in the adjudication proceeding. Thereafter, all rental income shall be
15 applied against any taxes, charges imposed pursuant to R.S. 33:1236, or paving or
16 other local improvement assessments due against the property.

17 D. If prerequisites have been completed to qualify an adjudicated property
18 for a resident custodian, the political subdivision may establish an internal office or
19 contract with an external public entity to provide funding for construction of a pivot
20 housing unit. The internal office or contracted public entity may employ the resident
21 custodian, specify the amount paid for property maintenance, and set the rent for the
22 unit.

23 E. A political subdivision may rent an unoccupied pivot housing unit to a
24 temporarily displaced resident of the political subdivision during a declared disaster
25 or emergency.

26 F. The pivot housing unit and resident custodian may remain on the
27 adjudicated property as long as the property is adjudicated to the political
28 subdivision and the political subdivision is in possession of it. Upon redemption or
29 sale or other disposition of the property, the political subdivision shall notify the

1 resident custodian of the termination of his maintenance responsibilities and the need
 2 to vacate the pivot housing unit withing sixty days of such notice. The political
 3 subdivision shall remove the pivot housing unit within ninety days of any redemption
 4 or sale or other disposition of the property.

5 G. A political subdivision may adopt any ordinance or regulation it deems
 6 appropriate to provide for implementation of this Section.

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 907 Original

2022 Regular Session

Tarver

Abstract: Authorizes a local government to employ and house a resident custodian on property which has been adjudicated to the local government.

Present constitution and present law provide for the sale of property on which property taxes and other assessments have not been paid. Provide for a period, generally three years, during which the tax debtor may redeem such property.

Present law establishes a minimum bid for the purchase of property at a tax sale and provides for adjudication of the property to the local government if the minimum bid is not received.

Proposed law authorizes local governments to employ a resident custodian who will live on and maintain property adjudicated to the local government. Authorizes construction of a pivot housing unit on the property and rental of the unit to the resident custodian.

Proposed law provides that a pivot housing unit is a freestanding residential unit with not more than 650 square feet of living area that includes bath, kitchen, and multipurpose room, that is built on piers, and that includes an exterior porch or gallery of not more than 200 square feet.

Proposed law authorizes a local government to rent an unoccupied pivot housing unit to a temporarily displaced resident of the political subdivision during a declared disaster or emergency.

Proposed law provides further with respect to resident custodians and pivot housing units. Authorizes local governments to adopt ordinances and regulations with respect thereto.

(Adds R.S. 47:2233.1)