

SENATE CONCURRENT RESOLUTION NO. 13

BY SENATOR BISHOP

A CONCURRENT RESOLUTION

To request the Louisiana State Law Institute to study the feasibility of revising state law to specifically authorize a right of action and legal standing for private associations to seek injunctive relief for a zoning violation when a municipality fails or refuses to do so and a person is harmed thereby, and also to study whether present penalties for zoning violations should be revised to be comparable with those in other states.

WHEREAS, due to recent court decisions there appears uncertainty in Louisiana law regarding the right of action and standing of a private association to seek injunctive relief for a zoning violation when a municipality fails or refuses to do so and a person is harmed thereby; and

WHEREAS, there appears further uncertainty as to whether present penalties for zoning violations in Louisiana are comparable with penalties for similar violations in other states; and

WHEREAS, such uncertainty should be resolved in order that persons and entities in our state will have a clear understanding of their rights and duties under state law.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the Louisiana State Law Institute to study the feasibility of revising state law to specifically authorize a right of action and legal standing for private associations to seek injunctive relief for a zoning violation when a municipality fails or refuses to do so and a person is harmed thereby, and also to study whether present penalties for zoning violations should be revised to be comparable with those in other states.

BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit a written report of its findings, together with any recommendations in the form of proposed legislation, to the Legislature of Louisiana no later than February 1, 2017.

SCR NO. 13

ENROLLED

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the Director of the Louisiana State Law Institute.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES