HLS 26RS-364 with HRLNG Comments **ORIGINAL**

See the highlighted comments below, red writing means add, red cross out means delete. Paging leaves large white spaces so be sure to read all the way to the bottom.

2026 Regular Session

HOUSE BILL NO. 817

BY REPRESENTATIVE MCMAKIN

PROPERTY/IMMOVABLE: Establishes the Louisiana Homeowner Bill of Rights

AN ACT

To enact R.S. 9:1141.51, relative to homeowners associations; to provide for the Louisiana Homeowner Bill of Rights; to provide a short title; to provide a purpose; to provide for applicability; to provide for transparency and records; to provide for board composition; to provide for meeting requirements; to provide for transparency; to provide for vendor contracts; to provide for budgets, dues, and assessments; to provide for liens and fines; to provide for enforcement; to provide for remedies; to provide for education; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:1141.51 is hereby enacted to read as follows:

§1141.51. Homeowner Bill of Rights

A. This Section maybe known and cited as the "Louisiana Homeowner Bill of Rights".

B. The purpose of this Section is to protect the rights of homeowners in planned communities governed byhomeowners associations, promote transparency and accountabilityin association operations, ensure fair governance, and balance the interests of associations and members consistent with the Louisiana Planned Community Act.

C. This Section applies to all associations as defined in R.S. 9:1141.2,

regardless of date of creation, unless expressly exempted in this Section.

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Associations shall convert existing governing documents to conform to the requirements of this Section.

D.(1) Every association shall establish an online homeowner portal accessible to members for posting official records, meeting notices, and governing documents. Associations with one hundred or more parcels shall also maintain a dedicated website for the same purpose. Available and download able at no charge.

(2) Associations shall provide to each member a physical or digital copy of the current declaration, bylaws, rules, and covenants and shall provide such documents to new members within thirty days of purchase. Available and download able at no charge.

(3) Associations shall post complete governing documents on the homeowner portal or association website and provide electronic or written notice to members. Available and download able at no charge.

(4) Members shall have the right to inspect and copy association records, including financials, minutes that exclude executive sessions, contracts, and insurance policies, within fourteen business days of written request. For good cause shown, records not subject to inspection or copy are personnel or medical information, litigation matters, attorney-client privileged communications, court-ordered confidential documents, individual owner files, unlisted contact information, security data, and nondisclosure agreements.

(5) Associations shall retain ballots for one year and the following records for at least seven years, make them available on the website, and available and download able at no charge.
:

(a) Budgets.

(b) Monthly financial statements.

(c) Minutes.

(d) Owner lists with name, HOA address, mailing addresss, email address and phone. Member may elect to keep their phone number private by written instruction to the HOA.

(e) Governing documents.

(f) Tax returns.

(g) Contracts.

29 (h) Insurance policies.

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Question: And what happens if the Board fails/refuses to follow these laws?

See our Proposed Legislation #2 at HOAReformLeaders.com

E.(1) The executive board shall include at least a president, vice-president, secretary, and treasurer.

(2)(a) Homeowners shall elect at least one member-at-large when fifty percent of parcels in the first phase are sold to nondevelopers. A developer maintains majoritycontrol until ninetypercent of parcels in the final phase are sold, after which, homeowners hold majority control with the developer retaining one designated seat.

(b) If further development occurs after majoritycontrol bythe homeowners, homeowners retain majority control with the developer retaining the one seat.

(3) A developer shall notify members when ninety percent of parcels in the final phase are sold and shall call a special meetingwithin ninetydays for elections.

F.(1) Associations shall hold at least one annual meeting of members per fiscal year with virtual options available for accessibility.

(2) Special meetings may be called by the president, majority of the board, or twenty percent of members., or 50 members, whichever is less.

(3) Meeting notices and agenda items shall be posted conspicuously on the homeowner portal or association website and sent via mail or e-mail at least ~~twenty-four hours~~ 14 days in advance.

(4) Agendas shall be available at least ~~twenty-four hours~~ 14 days in advance and members may speak on agenda items before action of the executive board.

G.(1) Contracts or services over ten thousand dollars require written bids solicited from vendors.

(2) All contracts funded bythe association require public bidding.

(3) Members mayinspect management contracts with proper written notice and must be place on the website within 30 days of being signed.

H.(1) Annual budgets shall detail expenses which include but are not limited to maintenance, utilities, insurance, and reserves, and be sent to members within ten days of the start of the association's fiscal year with quarterly updates showing expenditures, fines, and variances.

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(2) Anysurplus funds that are not on reserve shall be returned or credited to the members.

(3) Any budgets and updates shall be filed with the Department of Justice, office of the attorney general, and be retained by the association for five years.

(4) Dues shall be assessed proportionally by the total expenses divided by the number of parcels ~~unless amended by majority vote.~~

(5) Regular assessments shall not increase more than the comsumer price index, (CIP) ~~twenty percent~~ annually without member approval.

(6) Anyincrease in the budget or dues or unbudgeted expenditures over ten thousand dollars requires a ~~forty-eight hour notice to members~~ member vote. ~~Any large unbudgeted items require quorum approval.~~

I.(1) Liens for unpaid assessments require notice and prior good faith efforts to resolve the issue. A judicial hearing shall prove delinquency by clear and convincing evidence. There shall be no liens for fines and no foreclosure on liens or fines.

(2) The developer is liable for legal fees for liens related to initial development obligations.

(3) Fines require a schedule, dispute resolution process, notice, opportunity for a hearing for at least ten days prior to the hearing, and decisions shall be in writing. Fines are limited to one hundred dollars per violation at amaximum of two thousand five hundred dollars for ongoing issues.

(4) There shall be no fines for garbage receptacles out less than twenty-four hours beyond collection or for holidaydecorations displayed beyond the rules unless the member takes no action one week after a notice.

(5) Associations shall not prohibit parking of personal vehicles, ~~or~~ noncommercial work vehicles or first-responder vehicles in driveways or ~~first-responder vehicles~~ on a public street.

J. The attorneygeneral shall collect, track, and publish data on homeowner complaints against associations.

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K. Associations that violate the provisions of this Section may be liable to members or the state for damages and attorney fees.

L. Associations shall annually provide to members and new owners education on rights and responsibilities at no cost.

Section 2. Associations shall convert existing governing documents to conform to the requirements as provided in R.S. 9:1141.51(C) as enacted by Section 1 of this Act by ~~January 1, 2027.~~ July 1, 2026

Section 3. Associations shall establish an online portal as prescribed in R.S. 9:1141.51(D) as enacted by Section 1 of this Act by ~~January 1, 2027.~~ July 1, 2026.

DIGEST

The digest printed below was prepared byHouse 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 817 Original 2026 Regular Session McMakin

Abstract: Establishes the La. Homeowners Bill of Rights.

Proposed law may be known and cited as the "La. Homeowner Bill of Rights".

Proposed law provides for the purpose of proposed law.

Proposed law applies to all associations as defined in present law regardless of date of creation, unless expressly exempted.

Proposed law requires all associations to convert existing governing documents to conform to the requirements of proposed law by Jan. 1 2027.

Proposed law requires associations to establish an online portal or website and to publish on the portal or website anydeclaration, bylaws, rules, and covenants. Anyamendments to the declaration, bylaws, rules, and covenants are required to be provided to each member, including new members at purchase within 30 days.

Proposed law provides for certain association records that may be subject to inspection or copy within 14 days upon written request.

Proposed law requires ballots to be retained for one year and the following records for at least 7 years:

(1) Budgets.

(2) Monthly financial statements.

(3) Minutes.

(4) Owner lists.

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(5) Governing documents.

(6) Tax returns.

(7) Contracts.

(8) Insurance policies.

Proposed law provides for the association board composition and control bydevelopers in certain circumstances.

Proposed law provides for association meetings and required notices and agendas.

Proposed law provides requirements regarding contracts with the associations of a certain dollar amount. Permits members to inspect management contracts upon written notice.

Proposed law provides for annual budgets of the association. Requires that annual budgets detail expenses which include but are not limited to maintenance, utilities, insurance, and reserves, and be sent to members within 10 days of the start of the association's fiscal year with quarterly updates showing expenditures, fines, and variances.

Proposed law requires anysurplus funds that are not on reserve be returned or credited to the member and further requires that any budget and updates be filed with the La. attorney general's office and retained for five years.

Proposed law requires that dues be assessed proportionallybythe total expenses divided by the number of parcels unless amended by majority vote and prohibits the increase of assessments by more than 20% annually without member approval.

Proposed law requires a 48-hour notice for anyincrease in the budget or dues or unbudgeted expenditures over $10,000 and quorum approval for any large unbudgeted items.

Proposed law provides for liens and fines for certain violations.

Proposed law requires the attorneygeneral to collect, track, and publish data on homeowner complaints against associations.

Proposed law provides that if any association violates the provisions of proposed law, the association may be liable to members or the state for damages and attorney fees.

Proposed law requires associations to annually provide to members and new owners education on rights and responsibilities at no cost.

(Adds R.S. 9:1141.51)

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