

Fiscal Analysis

EVICCTIONS FOR DRUG OFFENSES



Bill/Sponsor **HOUSE BILL 5182 Substitute (H-1)**, Rep. Jerry O. Kooiman
HOUSE BILL 5197 Substitute (H-1), Rep. Jerry O. Kooiman

House Committee Judiciary

Analysis **Summary**

House Bill 5182 would amend Chapter 57 of the Revised Judicature Act, which provides for summary proceedings for eviction, to expedite proceedings in cases where tenants had been involved in controlled substances manufacture, possession or delivery on the leased premises. In such cases, the bill would:

- Require the action to be heard at the time of the defendant's appearance or trial date, and forbid the action from being adjourned beyond that time except for extraordinary reasons.
- Require a writ of restitution to be issued immediately after entry of a judgment for possession. (This requirement also would apply to various other – i.e., non-drug – situations where statute currently authorizes, but does not require, the court immediately to issue a judgment for possession.)

House Bill 5197 would amend 1846 RS 66 to reduce the drug eviction notice period from seven days to 24 hours. Thus, rather than being required to provide written seven-day notice to quit the premises to a tenant who had committed drug offenses on the premises, a landlord could terminate the tenancy by providing a written 24-hour notice to quit. The bill could not take effect unless HB 5182 were enacted.

Fiscal Impact

The bills would have no fiscal impact on the state or local units of government.

Analyst(s)
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FLOOR ANALYSIS - 12/15/03

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