
DIGEST

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Smith

HB No. 1004

Abstract: Relative to the Downtown Development District of the city of Baton Rouge, provides relative to the governance and powers and duties of the district.

Present law authorizes the governing authority of the city of Baton Rouge/parish of East Baton Rouge (metro council), with the approval of the mayor-president, to create the Downtown Development District of the city of Baton Rouge, a special taxing district within the city of Baton Rouge. Provides for district boundaries.

Proposed law retains present law.

Present law provides that the metro council has control over and responsibility for the functions, affairs, and administration of the district.

Proposed law removes present law and instead provides that the district is a political subdivision of the state and has all powers accorded by law to political subdivisions of the state, including the power to cooperate with and to engage in cooperative endeavors with other persons or entities as authorized by the state constitution.

Present law provides for the creation of a board of commissioners (board) composed of seven members who are appointed by the mayor-president of the (city-parish). Provides that the board is created in order to provide for the orderly planning, development, acquisition, construction, and effectuation of the services, improvements, and facilities to be furnished by the district

Proposed law retains present law and additionally provides that the board is the governing authority of the district.

Present law requires the minute books and archives of the board to be maintained by the board's secretary with the help and assistance of and through the office of council administrator.

Proposed law removes provisions that require the help and assistance of the council administrator.

Present law requires that the monies, funds, and accounts of the district be deposited in and invested through the finance department of the city-parish. Requires that checks be issued through the office of the parish treasurer. Requires the city-parish attorney to serve as the board's regular attorney.

Proposed law removes present law and instead requires that the monies, funds, and accounts be deposited and invested as provided by present law applicable to political subdivisions. Additionally removes provisions that require the city-parish attorney to serve as the board's regular attorney.

Present law requires that the duties of the officers be fixed by bylaws adopted by the board and requires the board to adopt rules and regulations as it deems necessary or advisable for conducting its business and affairs. Further requires the board to hold regular meetings as provided in the bylaws and to hold special meetings at such time and places within or without the district as may be prescribed in the bylaws.

Proposed law retains present law.

Present law requires the board, to the extent that funds are available, to hire assistants and employees as are needed to assist the board in the performance of its duties.

Proposed law removes authority granted to the board to hire assistants and instead authorizes the board to hire an executive director and other employees needed to not only assist the board in the performance of its duties but also to carry out the functions of the district. Authorizes the executive director other employees to participate in the retirement system of the city-parish.

Proposed law requires the board to establish a pay plan in order to fix the salary of the executive director and each employee who is not a member of the classified service of the city-parish. Provides however, that the pay plan for any employee who is member of the classified service must be established by the metro council. Requires the board to adopt annual budgets of revenues and expenditures, subject to the approval of the metro council.

Present law requires that all services to be furnished within the district pursuant to any plan finally and conclusively adopted be furnished, supplied, and administered by the city-parish through its regularly constituted departments, agencies, boards, commissions, and instrumentalities. Further requires that all capital improvements and facilities to be acquired, constructed, or provided within the district, be acquired, constructed, or provided by the city-parish through its regularly constituted departments, agencies, boards, commissions, and instrumentalities.

Proposed law removes requirement that services and capital improvements be furnished by the city-parish and instead provides that they be furnished by the district.

Present law authorizes the metro council, when requested by a duly adopted resolution of the district's board, to fund the avails of the tax levied on behalf of the district into bonds or other instruments of indebtedness for the exclusive benefit of the district.

Proposed law clarifies that the metro council is authorized to fund the avails of the tax into bonds or other indebtedness of the city.

Present law prohibits a tax from being levied and bonds from being issued unless approved by a majority of the district's voters voting on the proposition at an election held for that purpose.

Proposed law removes present law and provides that bonds are authorized to be issued pursuant to present law relative to the issuance of revenue bonds by public entities.

(Amends R.S. 33:2740.8(B), (C), (E), (I)(1), (K)(1), and (L)(1))