
DIGEST

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HB 806 Engrossed

2018 Regular Session

Johnson

Abstract: Creates a special district in certain parishes to construct and operate courtroom and related facilities.

Present law requires that a parish governing authority provide a courthouse, with rooms for jurors and a jail.

Proposed law creates a parish justice center district (district), as a political subdivision having boundaries coterminous with the parish, in any parish with a population of not less than 41,500 and not more than 45,000 people. Provides that the purposes of the district are to locate, build, operate, and maintain courtroom and related facilities for the judicial district that encompasses the district (judicial district).

Proposed law provides for governance of the district by the elected judges of the judicial district.

Proposed law provides that the district has all powers necessary or convenient to effectuate its purpose including:

- (1) To acquire and develop property to be used as a justice center.
- (2) To develop plans for and to construct a justice center.
- (3) To operate and maintain the justice center.
- (4) To govern, manage, and direct the justice center; to lay out, regulate, improve, and beautify the same; to pass ordinances for the regulation and governance thereof; to appoint and employ such architects, engineers, surveyors, clerks, and others as may be necessary and to prescribe and define their respective duties and authority and the amount of their compensation; and generally to do all things in regard to the powers granted pursuant to proposed law.

Present law authorizes any political subdivision which is authorized to own public facilities to finance or refinance the acquisition, construction, improvement, rehabilitation, repair, or enlargement of such facilities by entering a sale, sale-back, lease, or sublease transaction or other agreement or any combination thereof with any public corporation, joint commission, or public trust provided that any such agreement contains a provision that the political subdivision will make a good faith effort to appropriate funds sufficient to pay all amounts due under the agreement but that failure to do so

shall not constitute a default. Provides that the purpose of such agreements shall be to facilitate the issuance of bonds by any public corporation, joint commission, or public trust on behalf of the political subdivision. Provides further with respect to such agreements including provisions for use and control of the facility and title to the facility. Authorizes the state treasurer to withhold state aid funds from the political subdivision and pay such funds to the public corporation, joint commission, or public trust which is party to such agreement if and in the exact amount that the political subdivision fails to make required payments to the public corporation, joint commission, or public trust. Proposed law authorizes the district to enter such agreements.

Proposed law authorizes the district, in accordance with present law and subject to voter approval, to levy ad valorem and sales and use taxes. Proposed law requires that any tax proposition submitted to the voters state the rate, duration, and purpose of the tax as such are requested by resolution of the district governing authority.

Proposed law authorizes the district to incur debt and fund tax revenues into bonds in accordance with present law. Provides that a proposition authorizing bonds secured by a sales and use tax shall state the amount of bonds to be issued.

Proposed law provides that the district governing authority shall exercise the authority granted in proposed law to the extent that revenues for such exercise are approved by the voters, and that the parish shall not exercise any authority which conflicts with such exercise. Further provides that to the extent that sufficient revenues are not authorized, the parish may exercise its own authority with respect to the acquisition, construction, renovation, operation, or maintenance of a parish courthouse.

Proposed law provides that the district shall be subject to audit in accordance with present law.

(Adds R.S. 33:4715.3)