

2016 Regular Session

HOUSE BILL NO. 1089

BY REPRESENTATIVE BACALA

TAX INCREMENT FINANCING: Provides relative to tax increment financing in certain parishes

1 AN ACT

2 To enact R.S. 33:9038.43, relative to tax increment financing in certain parishes; to  
3 authorize the parish governing authority to take certain actions with respect to such  
4 financing including creation of districts, levy of taxes, issuance of bonds, and  
5 entering cooperative endeavor agreements; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:9038.43 is hereby enacted to read as follows:

8 §9038.43. Tax increment financing; certain parishes

9 The governing authority of a parish with a population of more than four  
10 hundred thirty-five thousand persons as established by the most recent federal  
11 decennial census may take any action it deems appropriate for the purpose of  
12 utilizing tax increment financing to fund economic development in the parish. The  
13 authority granted by this Section includes but is not limited to the following specific  
14 authorities:

15 (1) The authority to create a district comprised of the area specified in this  
16 Paragraph for the purpose of dedicating tax increments to economic development  
17 activities within the district. Economic development activities that may be financed  
18 in this manner include all costs of projects provided in R.S. 33:9038.36.

1           The district shall be comprised as follows:

2           A CERTAIN PIECE OR PARCEL OF LAND LOCATED IN SECTIONS  
3           45, 46, 53, 80, T7S-R2E, GREENSBURG LAND DISTRICT LAND DISTRICT,  
4           PARISH OF EAST BATON ROUGE, STATE OF LOUISIANA, MORE  
5           PARTICULARLY DESCRIBED AS FOLLOWS:

6           COMMENCE AT THE INTERSECTION OF THE NORTHERN  
7           RIGHT-OF-WAY LINE OF SOUTH HARRELLS FERRY ROAD AND THE  
8           EASTERN RIGHT-OF-WAY LINE OF ONEAL LANE, SAID POINT BEING THE  
9           POINT OF BEGINNING;

10          THENCE PROCEED IN A EASTERLY DIRECTION ALONG THE  
11          NORTHERN RIGHT OF SOUTH HARRELLS FERRY ROAD TO THE  
12          INTERSECTION OF THE SOUTH HARRELLS FERRY ROAD RIGHT-OF-WAY  
13          AND THE CENTERLINE OF THE AMITE RIVER;

14          THENCE PROCEED IN A NORTHERLY DIRECTION ALONG THE  
15          CENTERLINE OF THE AMITE RIVER TO THE INTERSECTION OF THE  
16          AMITE RIVER CENTERLINE AND THE NORTHERN RIGHT-OF-WAY LINE  
17          OF THE GULF STATES UTILITIES OVERHEAD POWERLINE  
18          RIGHT-OF-WAY;

19          THENCE PROCEED IN A WESTERLY DIRECTION ALONG THE  
20          NORTHERN RIGHT-OF-WAY LINE OF THE GULF STATES UTILITIES  
21          OVERHEAD POWERLINE RIGHT-OF-WAY TO THE EASTERN  
22          RIGHT-OF-WAY LINE OF ONEAL LANE;

23          THENCE PROCEED IN A SOUTHERLY DIRECTION ALONG THE  
24          EASTERN RIGHT-OF-WAY LINE OF ONEAL LANE TO THE  
25          POINT-OF-BEGINNING;

26          INCLUDING THE G. GALLOWAY AND A.R. BROOKS TRACTS  
27          LOCATED IN THE NORTHWEST QUADRANT OF ONEAL LANE AND  
28          INTERSTATE HIGHWAY 12;

1           LESS AND EXCEPT THE INTERSTATE HIGHWAY 12  
2           RIGHT-OF-WAY, ONEAL PLACE SUBDIVISION, THE WILDERNESS AT  
3           WHITE OAK SUBDIVISION, ALL LOTS AND TRACTS FRONTING ON  
4           PALMER ROAD AND TRACTS ON THE NORTHERN SIDE OF SOUTH  
5           HARRELLS FERRY ROAD INCLUDING TRACT A-1-A, TRACT A-2-A-1,  
6           TRACT A-3-A, TRACT A-3-B, TRACT A-3-C, TRACT B-1, TRACT C-1,  
7           NORTON COPORATION TRACT, TRACT F-1, TRACT F-2-1, TRACT F-2-2,  
8           TRACT F-2-3, LOT 23-A-1, LOT 24-A-1, LOT 26-A, LOT 27, LOT 15, LOT 16,  
9           LOT 17, LOT 18-A, LOT 18-B, LOT 18-C, LOT 19-A, LOT 19-B, LOT 20, 14.4  
10           ACRE TRACT, TRACT N-1, TRACT N-2, TRACT N-3-B-1, TRACT N-3-B-2,  
11           TRACT N-3-B-4-B, AND THE A. BEVERIDGE TRACT.

12           (2) The authority to enter cooperative endeavor agreements with any federal,  
13           state, or local government agency and with any public or private entity.

14           (3) The authority to levy ad valorem, sales, and hotel occupancy taxes in  
15           accordance with R.S. 33:9038.39.

16           (4) The authority to issue revenue bonds and incur debt in other forms  
17           secured by taxes levied by the district or by tax increments dedicated to such purpose  
18           pursuant to a cooperative endeavor agreement with other governmental entities. A  
19           pledge of tax increments pursuant to such a cooperative endeavor agreement may  
20           include the dedication of revenue from any tax levied by any taxing body that is a  
21           party to the cooperative endeavor. However, no state revenue shall be pledged as  
22           security for bonds issued or other debt incurred pursuant to this Section unless such  
23           pledge has been authorized by Act of the Legislature of Louisiana for a specific  
24           project.

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**DIGEST**

The digest printed below was prepared by House 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)]

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HB 1089 Reengrossed

2016 Regular Session

Bacala

**Abstract:** Authorizes certain parishes to provide for tax increment financing.

Proposed law authorizes the governing authority of a parish with a population of more than 435,000 to take any action it deems appropriate for the purpose of utilizing tax increment financing to fund economic development in the parish. Provides that such authority includes:

- (1) The authority to create a district in a specified part of the parish for the purpose of dedicating tax increments to economic development activities within the district.
- (2) The authority to enter cooperative endeavor agreements with any federal, state, or local government agency and with any public or private entity.
- (3) The authority to levy ad valorem, sales, and hotel occupancy taxes in accordance with present law, which requires public notice and an election.
- (4) The authority to issue revenue bonds secured by taxes levied by the district or by tax increments dedicated to such purpose. Provides that a pledge of tax increments may include the dedication of revenue from any tax levied by any taxing body that is a party to a cooperative endeavor; however, prohibits a pledge of state funds unless the specific pledge is authorized by Act of the legislature.

(Adds R.S. 33:9038.43)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Restrict the authority of the parish to create districts to the authority to create a single district in a specified area.
2. Add prohibition on a pledge of state revenue unless such pledge is authorized by the legislature.