

ACT No. 269

2023 Regular Session

HOUSE BILL NO. 269

BY REPRESENTATIVE LANDRY

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AN ACT

To amend and reenact R.S. 33:9091.25(B), (D)(1) and (2), and (F)(1), (2)(d), and (3)(b), relative to Orleans Parish; to provide relative to the Delachaise Security and Improvement District; to provide relative to the boundaries and governance of the district; to provide relative to the appointment of board members; to provide relative to district funding; to provide relative to the parcel fee imposed and collected in the district; to provide relative to the term of the fee; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:9091.25(B), (D)(1) and (2), and (F)(1), (2)(d), and (3)(b) are hereby amended and reenacted to read as follows:

§9091.25. Delachaise Security and Improvement District

* * *

B. Boundaries. The boundaries of the district shall be that area within and including the following perimeter: beginning at the intersection of Louisiana Ave. and Carondelet St. and proceeding along Carondelet St. (~~both sides~~ interior side) to its intersection with Napoleon Ave., along Napoleon Ave. (interior side) to its intersection with Freret St., then along Freret St. (interior side) to its intersection with Louisiana Ave., and finally along Louisiana Ave. (interior side) back to its intersection with Carondelet St.

* * *

1 D. Governance. (1) The district shall be governed by a board of
2 commissioners, referred to in this Section as the "board", consisting of ~~seven~~ five
3 members, all of whom shall be qualified voters and residents of the district,
4 composed as follows:

5 (a) The ~~presidents~~ president of the Delachaise Neighborhood Association,
6 referred to in this Section as the "DNA"; ~~and the Milan Neighborhood Association;~~
7 ~~referred to in this Section as the "MNA".~~

8 (b) The governing board of the DNA shall appoint ~~two~~ three members who
9 may be members of the governing board.

10 ~~(c) The governing board of the MNA shall appoint two members who may~~
11 ~~be members of the governing board.~~

12 ~~(d)~~ (c) The member of the governing authority of the city of New Orleans
13 who represents Council District B shall appoint one member.

14 (2)(a) The ~~members~~ member serving pursuant to Subparagraph (1)(a) of this
15 Subsection shall serve during ~~their~~ his term of office.

16 (b) The members appointed pursuant to ~~Subparagraphs (1)(b) and (c)~~
17 Subparagraph (1)(b) of this Subsection shall serve two-year terms after initial terms
18 as provided in this Subparagraph. One member shall serve an initial term of one year
19 and two members shall serve an initial term of two years, as determined by lot at the
20 first meeting of the board.

21 (c) The member appointed pursuant to ~~Subparagraph (1)(d)~~ Subparagraph
22 (1)(c) of this Subsection shall serve a term concurrent with the appointing authority.

23 * * *

24 F. Parcel fee. The governing authority of the city of New Orleans is hereby
25 authorized to impose and collect a parcel fee within the district subject to and in
26 accordance with the provisions of this Subsection.

27 (1) The amount of the fee shall be as requested by duly adopted resolution
28 of the board. ~~The fee shall be a flat fee per parcel of land not to exceed three~~
29 ~~hundred dollars per year for each parcel.~~ For each residential parcel which is
30 unimproved or contains a single-family dwelling, the fee shall be a flat fee not to

1 exceed three hundred fifty dollars. For each residential parcel which contains two
 2 to four dwelling units, the fee shall be a flat fee not to exceed four hundred dollars.
 3 For each residential parcel which contains five or more dwelling units, the fee shall
 4 be a flat fee not to exceed one thousand dollars. For each unimproved and improved
 5 parcel zoned for commercial use, the fee shall be a flat fee not to exceed five
 6 hundred dollars.

7 (2)

8 * * *

9 (d) ~~If~~ Notwithstanding the provisions of Paragraph (1) of this Subsection, if
 10 multiple adjacent parcels are combined for the purpose of housing a single-family
 11 dwelling, the flat fee for the combined parcel shall be calculated to be one and four
 12 tenths times the single parcel fee for two adjacent parcels and one and six tenths
 13 times the single parcel fee for three or more adjacent parcels.

14 (3)

15 * * *

16 (b)(i) If approved, the fee shall expire at the ~~time provided in the proposition~~
 17 ~~authorizing the fee, not to exceed a duration of three years~~ end of the term provided
 18 for in the proposition authorizing the fee, not to exceed five years, but the fee may
 19 be renewed if approved by a majority of the registered voters of the district voting
 20 on the proposition at an election as provided in Subparagraph (a) of this Paragraph.
 21 If renewed, the term of the imposition of the fee shall be as provided in the
 22 proposition authorizing such renewal, not to exceed five years.

23 (ii) The amount of the fee may be changed by duly adopted resolution of the
 24 board, not to exceed the maximum amount authorized by this Subsection. No other
 25 election shall be required for such change in the amount of the fee.

26 * * *

27 Section 2. The terms of the members of the board of commissioners of the
 28 Delachaise Security and Improvement District in office on the effective date of this Act shall
 29 terminate on the effective date of this Act; however, such members shall remain in office
 30 until the board members appointed as provided in this Act take office. The members of the

1 board of commissioners of the Delachaise Security and Improvement District shall be
2 appointed and shall take office as provided in this Act and shall serve terms of office as
3 provided in this Act.

4 Section 3. The provisions of this Act shall not affect the parcel fee levied within the
5 Delachaise Security and Improvement District on the effective date of this Act. The
6 governing authority of the city of New Orleans shall continue to levy the fee until such time
7 as it expires, as provided in the proposition approved by a majority of the district's registered
8 voters voting on the proposition at an election held on November 8, 2022. After expiration
9 of the fee, the governing authority of the city shall then begin to levy a parcel fee as provided
10 in this Act if the parcel fee has been approved by the voters as provided in this Act.

11 Section 4. This Act shall become effective upon signature by the governor or, if not
12 signed by the governor, upon expiration of the time for bills to become law without signature
13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
15 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____