

Regular Session, 2012  
HOUSE BILL NO. 309

# ACT No. 187

BY REPRESENTATIVE JAMES AND SENATOR BROOME

1 AN ACT

2 To enact R.S. 33:9097.13, relative to East Baton Rouge Parish; to create the Park Forest  
3 Crime Prevention and Improvement District in East Baton Rouge Parish; to provide  
4 relative to the boundaries, purpose, and governance of the district; to provide relative  
5 to the powers and duties of the district; to provide for the levy of a parcel fee within  
6 the district; and to provide for related matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:9097.13 is hereby enacted to read as follows:

12 §9097.13. Park Forest Crime Prevention and Improvement District

13 A. Creation. There is hereby created within the parish of East Baton Rouge,  
14 as more specifically provided in Subsection B of this Section, a body politic and  
15 corporate which shall be known as the Park Forest Crime Prevention and  
16 Improvement District, referred to in this Section as the "district". The district shall  
17 be a political subdivision of the state as defined in the Constitution of Louisiana.

18 B. Boundaries. The district shall include the area within the following  
19 boundaries: beginning at the intersection of Monterrey Boulevard and Greenwell  
20 Springs Road, south along Monterrey Boulevard to its intersection with Great Smoky  
21 Avenue, then east along Great Smoky Avenue (both sides) to its intersection with Jo  
22 Anne Drive, then north along Jo Anne Drive (both sides) to its intersection with Big  
23 Bend Avenue, then east along Big Bend Avenue (both sides) to its intersection with

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1           North Sherwood Forest Drive, then north along North Sherwood Forest Drive to its  
 2           intersection with Greenwell Springs Road, then southwest along Greenwell Springs  
 3           Road to the point of beginning. The district shall also include all lots that front on  
 4           Great Smoky Avenue whether or not the lot lies within the boundaries otherwise  
 5           described in this Subsection.

6           C. The district is established for the primary object and purpose of promoting  
 7           and encouraging the beautification, security, and overall betterment of the district.

8           D. Board. (1) The district shall be governed by a board of commissioners,  
 9           referred to in this Section as the "board", consisting of members as follows:

10           (a) The president of the Park Forest Community Association or its successor  
 11           shall serve as a member.

12           (b) The board of directors of the Park Forest Community Association or its  
 13           successor shall appoint two members.

14           (c) The member of the Louisiana House of Representatives whose district  
 15           encompasses all or the greater portion of the area of the district shall appoint one  
 16           member.

17           (d) The member of the Louisiana Senate whose district encompasses all or  
 18           the greater portion of the area of the district shall appoint one member.

19           (e) Each member of the governing authority of East Baton Rouge Parish  
 20           whose district encompasses a portion of the area included within the district shall  
 21           appoint one member.

22           (2) All members of the board shall be residents and qualified voters of the  
 23           district.

24           (3)(a) Members appointed pursuant to Subparagraphs (1)(b) through (e) of  
 25           this Subsection shall serve three-year terms after initial terms as provided in  
 26           Subparagraph (b) of this Paragraph.

27           (b) Two members shall serve an initial term of one year; two shall serve two  
 28           years; and two shall serve three years as determined by lot at the first meeting of the  
 29           board.

1                   (c) The president of the Park Forest Community Association shall serve  
2                   during his term of office.

3                   (4) Any board member may be removed for cause by a majority vote of the  
4                   board.

5                   (5) Vacancies shall be filled in the manner of the original appointment. A  
6                   member shall be eligible for reappointment unless he was removed pursuant to  
7                   Paragraph (4) of this Subsection.

8                   (6) All members of the board shall serve without compensation and shall not  
9                   receive reimbursement for expenses.

10                  (7) The domicile of the board shall be within the district.

11                  (8) The board is authorized to adopt bylaws for its governance and conduct.

12                  (9) The members of the board shall select from among themselves a  
13                  president and such other officers as they deem appropriate whose responsibilities  
14                  shall be as provided by the bylaws of the board.

15                  (10) The board shall hold regular meetings as provided for in its bylaws and  
16                  may hold special meetings at such times and places within the district as provided  
17                  in the bylaws.

18                  (11) The board shall keep minutes of all meetings.

19                  (12) A majority of the board shall constitute a quorum for conducting  
20                  business of the district.

21                  E. Powers and duties. The district, acting through its board of  
22                  commissioners, shall have the following powers and duties:

23                   (1) To sue and be sued.

24                   (2) To adopt, use, and alter at will a corporate seal.

25                   (3) To receive and expend funds collected pursuant to Subsection F of this  
26                   Section and in accordance with a budget adopted as provided by Subsection G of this  
27                   Section.

28                   (4) To enter into contracts with individuals or entities, private or public.

1                   (5) To purchase items and supplies necessary for achieving any purpose of  
2                   the district.

3                   (6) To accept private grants and donations.

4                   (7) To procure and maintain liability insurance against any personal or legal  
5                   liability of a board member that may be asserted or incurred based upon his service  
6                   as a member of the board or that may arise as a result of his actions taken within the  
7                   scope and discharge of his duties as a member of the board.

8                   (8) To perform or have performed any function or activity the board deems  
9                   necessary to carry out the purposes of the district.

10                  F. Parcel fee. The governing authority of East Baton Rouge Parish may  
11                  impose and collect a parcel fee within the district subject to and in accordance with  
12                  the provisions of this Subsection:

13                   (1) The amount of the fee shall be as determined by duly adopted resolution  
14                   of the board. The fee, however, shall not exceed one hundred dollars per parcel per  
15                   year.

16                   (2) The fee shall be imposed on each parcel located within the district. The  
17                   term "parcel" as used in this Subsection shall mean a developed lot upon which is  
18                   situated a single-family residence.

19                   (3) The owner of the parcel shall be responsible for payment of the fee.

20                   (4)(a) The fee shall be imposed only after the question of its imposition has  
21                   been approved by a majority of the registered voters of the district voting on the  
22                   proposition at an election held for that purpose in accordance with the Louisiana  
23                   Election Code.

24                   (b) Not less than five years after the approval of the imposition of the fee by  
25                   the voters of the district, the board may increase the amount of the fee one time  
26                   without election. The amount of the fee shall be as provided in a duly adopted  
27                   resolution of the board, not to exceed two hundred dollars per parcel per year.

28                   (c) The fee shall expire ten years after its initial levy but may be renewed if  
29                   approved by a majority of the registered voters of the district voting on the  
30                   proposition at an election as provided in Subparagraph (a) of this Paragraph. If the

1           fee is renewed, the amount of the fee shall not exceed two hundred dollars per parcel  
 2           per year. The term of the imposition of the fee shall be as provided in the  
 3           proposition authorizing such renewal, not to exceed ten years.

4                     (5) The sheriff of the parish of East Baton Rouge shall collect the fee at the  
 5                     same time and in the same manner as ad valorem taxes are collected.

6                     (6) The sheriff of the parish of East Baton Rouge shall remit to the district  
 7                     all amounts collected not more than sixty days after collection; however, the board  
 8                     may enter into an agreement with the sheriff to authorize the sheriff to retain a  
 9                     collection fee.

10                    (7) Any parcel fee shall be added to the tax rolls of the parish and shall be  
 11                    enforced with the same authority and subject to the same penalties and procedures  
 12                    as ad valorem taxes.

13                    G. Budget. (1) The board of commissioners shall adopt an annual budget  
 14                    in accordance with the Louisiana Local Government Budget Act, R.S. 39:1301 et  
 15                    seq.

16                    (2) The district shall be subject to audit by the legislative auditor pursuant  
 17                    to R.S. 24:513.

18                    H. Miscellaneous provisions. (1) It is the purpose and intent of this Section  
 19                    that the additional law enforcement personnel and services provided by the district  
 20                    shall be supplemental to and not in lieu of personnel and services provided in the  
 21                    district by the city of Baton Rouge and East Baton Rouge Parish.

22                    (2) If the district ceases to exist:

23                    (a) All funds of the district shall be transmitted to the parish of East Baton  
 24                    Rouge and shall be used for law enforcement purposes in the area included within  
 25                    the district.

26                    (b) The authority for the imposition of the parcel fee provided in this Section  
 27                    shall cease.

28           Section 2. This Act shall become effective upon signature by the governor or, if not  
 29           signed by the governor, upon expiration of the time for bills to become law without signature  
 30           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
2 effective on the day following such approval.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_